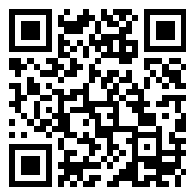

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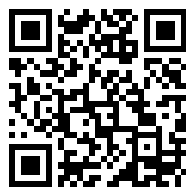
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THE ENGLISH HISTORICAL REVIEW

EDITED BY

G. N. CLARK, M.A.

FELLOW OF ORIEL COLLEGE, OXFORD, AND FORMERLY FELLOW OF ALL SOULS COLLEGE

ASSISTED (*for the July and October numbers*) BY

E. S. COHN, B.A.

FELLOW OF ORIEL COLLEGE

VOLUME XXXIX

1924



LONGMANS, GREEN AND CO.

89 PATERNOSTER ROW, LONDON

NEW YORK, BOMBAY AND CALCUTTA

1924

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1927

PRINTED AT OXFORD, ENGLAND

BY FREDERICK HALL

PRINTER TO THE UNIVERSITY

CONTENTS OF VOL. XXXIX

	PAGE
THE BEGINNING OF THE YEAR IN THE ENGLISH CHRONICLE. By <i>R. H. Hodgkin</i>	497
THE DATE OF THE CONQUEROR'S ORDINANCE SEPARATING THE ECCLESIASTICAL AND LAY COURTS. By <i>Curtis H. Walker</i>	399
THE 'FIRMA UNUS NOCTIS' AND THE CUSTOMS OF THE HUNDRED. By <i>Carl Stephenson</i>	161
ROGER OF SALISBURY, 'REGNI ANGLIAE PROCURATOR'. By <i>Mrs. F. M. Stenton</i>	79
AN EAST ANGLIAN SHIRE-MOOT OF STEPHEN'S REIGN. By <i>Miss Helen M. Cam</i>	568
HENRY FITZ HENRY AT WOODSTOCK. By <i>G. Herbert Fowler, C.B.E.</i>	240
A NEW FRAGMENT OF THE INQUEST OF SHERIFFS, 1170. By <i>James Tait, Litt.D.</i>	80
'PLENUS COMITATUS.' By <i>William A. Morris</i>	401
THE ORIGINALS OF THE GREAT CHARTER OF 1215. By <i>Sir John C. Fox</i>	321
THE 'RAGEMAN' AND BILLS IN EYRE. By <i>R. Stewart-Brown</i>	83
THE BATTLE OF MAES MADOG AND THE WELSH CAMPAIGN OF 1294-5. By <i>J. G. Edwards</i>	1
THE GENERAL EYRES OF 1329-30. By <i>Miss Helen M. Cam</i>	241
THE PRODUCTION AND EXPORTATION OF ENGLISH WOOLLENS IN THE FOURTEENTH CENTURY. By <i>H. L. Gray</i>	13
A NATIONAL BALANCE SHEET FOR 1362-3. By <i>T. F. Tout, Litt.D., and Miss Dorothy M. Broome</i>	404
BOROUGH REPRESENTATION IN RICHARD II'S REIGN. By <i>Miss May McKisack</i>	511
BISHOP WAKEMAN'S VISITATION ARTICLES FOR THE DIOCESE OF GLOUCESTER, 1548. By <i>W. P. M. Kennedy, Litt.D.</i>	252
THE CORNISH AND WELSH PIRATES IN THE REIGN OF ELIZA- BETH. By <i>David Mathew</i>	337
PETER WENTWORTH. By <i>J. E. Neale</i>	36, 175

iv CONTENTS OF THE THIRTY-NINTH VOLUME

	PAGE
THE ANGLO-DUTCH ALLIANCE OF 1678. By <i>Clyde Leclare Grose</i>	349, 526
CHARLES II AND LOUIS XIV IN 1683. By <i>E. S. de Beer</i>	86
THE JOURNEY OF CORNELIUS HODGES IN SENEGAMBIA, 1689-90. By <i>Miss Thora G. Stone</i>	89
WILLIAM DUNCOMBE'S 'SUMMARY REPORT' OF HIS MISSION TO SWEDEN, 1689-92. By <i>J. F. Chance</i>	571
THE BEGINNINGS OF CALICO PRINTING IN ENGLAND. By <i>Parakunnel J. Thomas</i>	206
THE IRISH FREE TRADE AGITATION OF 1779. Part II. By <i>George O'Brien, Litt.D.</i>	95
RICHARD BELGRAVE HOPPNER. By <i>C. S. B. Buckland</i>	373
THE AUTHORSHIP OF THE 'ESSAI SUR LE SYSTÈME MILITAIRE DE BONAPARTE' (1810). By <i>C. S. B. Buckland</i>	588
AN ENGLISH ESTIMATE OF METTERNICH IN 1813. By <i>C. S. B. Buckland</i>	256
THE FINLAY PAPERS. By <i>William Miller, LL.D.</i>	386
GEORGE FINLAY AS A JOURNALIST. By <i>William Miller, LL.D.</i>	552
THE RECEPTION AND INTERPRETATION OF THE MONROE DOCTRINE IN EUROPE, 1823-4. By <i>Harold Temperley</i>	590
PRINCESS LIEVEN AND THE PROTOCOL OF 4 APRIL 1826. By <i>Harold Temperley</i>	55
THE GENESIS OF THE WAR. By <i>H. W. C. Davis, C.B.E.</i>	217
REVIEWS OF BOOKS	110, 259, 447, 594
SHORT NOTICES	143, 306, 458, 625
NOTICES OF PERIODICAL PUBLICATIONS	483
INDEX	647

THE ENGLISH HISTORICAL REVIEW

NO. CLIII.—JANUARY 1924 *

The Battle of Maes Madog and the Welsh Campaign of 1294-5

ONE of the main difficulties in studying Edward I's Welsh campaign of 1294-5 is that the evidence, though not inconsiderable in bulk, has survived in such disjointed condition that it tells only a broken story. This is sufficiently exemplified in the standard account of the war given by Dr. J. E. Morris :¹ despite the author's skill, there are unavoidable gaps in his narrative ; and into the unavoidable gap creeps the convenient hypothesis. The most important of these gaps and its attendant hypothesis need reconsidering in the light of a little new evidence. In the North Wales operations, where the king commanded in person, the most critical stage of the campaign is involved in obscurity. The accepted account, though very well known, is worth recapitulating, as it can be supplemented in several important details from two documents, a wardrobe account and a pay roll, which have not previously been utilized.²

Edward arrived in Chester on 5 December 1294.³ What forces he brought with him is very difficult to say. Dr. Morris calculates that he left Worcester for Chester with 'some 350 lances' and a body of foot which at least included levies from Gloucestershire and Shropshire. It seems certain, however, that the levies of these two counties were not with the king. It is clear from the Wardrobe Accounts that the destination of the Gloucestershire men, under Osbert of Spaldington, was Cardiff.⁴

¹ *The Welsh Wars of Edward I*, ch. vii.

² The wardrobe account, dated 23 Edw. I, is in the Public Record Office, T.R. [Exchequer, Treasury of Receipt] Miscellaneous Books, 202. The pay roll of John of Sandall, of the same year, is in the Public Record Office, E. 407/5/37 [Miscellanea of the Exchequer of Receipt].

³ *Annales Cestrienses* (Lancs. and Cheshire Rec. Soc.), p. 118.

⁴ On 25 November 1294 a prest was made at Worcester for the wages of 16 constables and 1,600 foot 'quos dominus Osbertus de Spaldington eligit et ducet de comitatu Gloucestriae et Foresta de Dene versus Kerdyf' (T.R. Misc. Bks. 202, p. 33).

The Shropshire foot, likewise, were at this stage employed elsewhere than with the king. Our new evidence brings out the very important fact, hitherto overlooked, that Edward in this war had a large force of horse and foot operating in the region of Montgomery, and that during December the bulk of this force consisted of levies from Shropshire; thus, for example, from 6 to 15 December 1294, when the infantry of the Montgomery army averaged over 10,000 strong, an average of about 7,000 came from Shropshire, the rest being drawn from the counties of Hereford, Worcester, and Stafford.¹ It would seem, too, that this Montgomery force had some share of the 350 lances which Dr. Morris assigns to the king. It is known that 97 lances were in pay at Montgomery on 6 December.² Now Dr. Morris, it is true, allows in his calculations for a possible total of 150 lances under the heading 'in Brecknock, Builth, Montgomery, &c.', but he evidently conceives this total as split up into three or four more or less independent marcher units: he does not suggest a considerable royal force serving at the king's wages round Montgomery. The probability is, therefore, that Edward arrived in Chester on 5 December with a mounted following of less than 350 lances, and with no infantry at all, or next to none. He found his infantry awaiting him in Chester. They had been ordered to assemble there on 1 December 1294,³ and mustered over 16,000 strong, made up as follows: ⁴

	<i>Constables.</i>	<i>Foot.</i>
Nottinghamshire	3	2,340
Derbyshire	11	2,474
Cumberland	19	1,900
Westmorland	8	855
Yorkshire	37	3,700
Yorkshire (West Riding) . .	13	1,300
York city	8	800
Lancashire	25	2,540
	124	15,909

In passing, one is struck by the very large numbers of infantry that the king had collected for the war. On 6 December 1294 he had the following troops in his pay. There were the 124 constables and 15,909 foot at Chester. There was also a force based on Rhuddlan: its strength is not known, but it must have been considerable, since its pay-clerk, Roger Lisle, received a prest of £340 for wages on 25 November, another of £400 on 5 December, and a third of £500, probably between those two dates.⁵ Then

¹ E. 407/5/37, m. 2.

² Consisting of 5 bannerets, 20 knights, and 72 valletti: *ibid.* m. 4.

³ *Parliamentary Writs*, i. 266.

⁴ T.R. Misc. Bks. 202, p. 33.

⁵ *Ibid.* pp. 33-4.

there was the Montgomery army of 112 constables and 11,460 foot. Finally, there was a force operating in South Wales. Complete details of the numbers of this last force are lacking, but its pay-clerk, Nicholas of Okham, is known to have received prests on 22 and 25 November for the wages of a total of 40 constables and 4,000 foot to be levied from various shires and liberties,¹ and again on 25 November and 13 December he received prests of £1,000 and £1,333 6s. 8d. respectively for wages,² amounts which indicate that the army of South Wales at that time was probably a good deal more than 4,000 strong. Thus the grand total of the main forces on 6 December must have been over—probably well over—31,000 foot. Of course the king did not maintain so large a force in the field for long periods together—it is clear from the Montgomery roll, for example, that the numbers varied greatly from time to time—but the fact that he should assemble such large forces for the beginning of the campaign is a measure of the greatness of the danger in Wales; and the fact that he could assemble such forces at all is a measure of the greatness of his power in England.

On 7 December Edward left Chester and entered Wales by way of Wrexham.³ He seems to have taken with him—in addition, presumably, to his mounted troops—5,000 of the foot under 50 constables and to have sent the rest, nearly 11,000 strong, to await him at Rhuddlan. The Wardrobe Accounts record that on 3 December Hugh of Cressingham received a prest for four days' pay for 124 constables and 15,909 foot.⁴ His next prest, on 7 December, was for three days' wages for 74 constables and 10,909 foot.⁵ It will be observed that, as compared with 3 December, the number paid by Cressingham on the 7th is less by exactly 50 constables and 5,000 foot. As the king is known to have left Chester that very day, it is difficult to resist the conclusion that he had taken the 50 constables and 5,000 foot with him. It seems highly probable, too, that the 74 constables and 10,909 foot went on to Rhuddlan. On 11 December a prest of £600 was sent from Wrexham to Roger Lisle at Rhuddlan for wages, followed by another of £200 eleven days later.⁶ This implies that there were large forces at Rhuddlan just then, and it is reasonable to suppose that Cressingham's eleven thousand were among them.

¹ Made up as follows: Wiltshire, 5 constables, 500 foot; Somerset, 5 constables, 500 foot; Herefordshire and liberties of Ewias and Three Castles, 14 constables, 1,400 foot; Gloucestershire and Forest of Dean, 16 constables, 1,600 foot.

² T.R. Misc. Bks. 202, pp. 33-4.

³ *Annales Cestrienses*, p. 118. The remainder of Edward's itinerary has been derived mainly from the Wardrobe Accounts, which indicate his general movements with sufficient accuracy for the present purpose.

⁴ T.R. Misc. Bks. 202, p. 33.

⁵ *Ibid.* p. 34.

⁶ *Ibid.*

From Wrexham Edward struck westwards by Llandegla into the vale of Clwyd, moving down the valley through the lordships of Ruthin and Denbigh to the coast. This roundabout route was chosen, as Dr. Morris has shown, for the purpose of crushing the rebels of Ruthin and Denbigh, whom the earl of Lincoln, lord of Denbigh, had signally failed to subdue at the beginning of November.¹ Edward reached the coast about 23 December. Before moving further into Wales, he stationed the earl of Lincoln with a force at Rhuddlan to guard communications with Chester. This is shown by the Wardrobe Accounts: on 25 December Hugh Leominster drew the first of a series of prests 'ad vadia peditum morantium apud Rothelan in comitiva Comitum Lincoln. solvenda', and the amounts suggest that the force was of respectable size, but not large, perhaps about 2,000 strong.² Presumably, therefore, the bulk of the eleven thousand foot that seem to have been sent from Chester to wait for the king at Rhuddlan were now reunited with their five thousand comrades who appear to have participated in the royal detour through the vale of Clwyd. It was thus, in all probability, with an army very strong in infantry that Edward pushed on to the west of the Clwyd. He reached Conway just in time for the Christmas feast.³

Up to this point, therefore, the king's campaign had proceeded successfully, and the sequence of events is fairly clear. But now comes the important break in the story. About the end of the first week of January 1295, Edward seems to have advanced from Conway to Bangor.⁴ Then follows a curiously silent fortnight, during which the ordinary administrative

¹ Trevet, *Annales* (Eng. Hist. Soc.), p. 333; Hemingburgh, *Chronicon* (Eng. Hist. Soc.), ii. 58. There were signs of trouble among the Welsh tenants of Ruthin as early as the beginning of June 1294. See the very interesting case in *Ruthin Court Rolls* (Cymmrodorion Soc. Record Series), pp. 2-3.

² This is only a very rough estimate. From 25 December 1294 to the end of February 1295 Leominster received a total of £900 in four prests for paying the wages of infantry at Rhuddlan (T.R. Misc. Bks. 202, pp. 34-5). Roughly, therefore, some £900 was expended in the course of about eight weeks: this makes an average of about £17 daily, which implies about 2,000 infantry or a little less. The earl of Lincoln is only mentioned as commander in the entry of the prest of 25 December: it seems impossible to say how long he retained the command, but probably no later than March 1295, by which time Reginald de Grey appears to have taken over the force (*ibid.* p. 38; Exchequer Accounts, 5/18, m. 14).

³ Trevet, *Annales*, p. 334.

⁴ 'Iohanni de Norwico papilonario de prestito super cariagio papilionum per manus proprias apud Aberconewey, vi die Ianuarii, c sol.' (T.R. Misc. Bks. 202, p. 34). This is a regular entry when the king is on the move. There is one entry in the Wardrobe Accounts dated Conway, 7 January, and one in the Fine Roll dated Bangor, 7 January; so the move may actually have taken place on that day (T.R. Misc. Bks. 202, pp. 81-2; *Cal. of Fine Rolls*, i. 349). According to Gough, *Itinerary of Edward I*, a number of entries in other rolls are dated at Bangor, not only on 7 January, but also on 8 January.

routine appears to have been interrupted.¹ It seems to have been during this short period of silence that Edward suffered his solitary considerable reverse during the war. Both Trevet and Hemingburgh report the episode, though not with all the clearness that could be desired. The king, says Trevet, had crossed the Conway in order to advance further into Wales, but while he was accompanied by only a portion of his army, the Welsh captured his supply wagons, so that for a time he was short of food, and had to be content, until he was joined by the rest of the army, to eat salt flesh and drink water mixed with honey.² Hemingburgh tells substantially the same story, with the addition of various picturesque details.³ The hypothesis advanced by Dr. Morris is that the 'reliqua pars exercitus' which came to the king's rescue was a force commanded by the earl of Warwick, who is described by Trevet as gaining a great victory over the Welsh. Dr. Morris naturally locates the battle 'near Conway', and assigns it (on indirect evidence) 'to a day or two before January 24', 1295. This interpretation of the sequence of events was mainly suggested, apparently, by Trevet's account. Trevet, after narrating the loss of the supply wagons and the shortage of food pending the arrival of 'the rest of the army', proceeds immediately afterwards to record Warwick's victory, and his language, according to the accepted theory, 'undoubtedly implies that the loss of the train, the blockade, the victory, and the relief came one after another within a short time',⁴ the relief being the consequence of the victory.

It may be doubted whether Trevet's words really bear this implication, but fortunately the point need not be discussed, for he is not the only source of information available. Another chronicler—the annalist of Worcester—mentions Warwick's victory over the Welsh. He reports that Warwick

commisit bellum cum Wallensibus in loco quod dicitur lingua eorum Meismidoc; et prostravit ex illis de nobilioribus septingentos viros praeter submersos et letaliter vulneratos. Sed Madocus ap Lewelin eorum princeps cum dedecore vix evasit.⁵

This battle at Maes Madog⁶ is clearly the same as that referred to by Trevet. Now the Worcester chronicler, as might be expected, is a keen observer of Welsh affairs. His narrative of the events in Wales in 1294-5 is about the longest in any chronicle,

¹ There is no entry in the Wardrobe Accounts between 7 January and 21 January: on the 21st a prest is recorded as having been made 'apud Aberconewey' (T.R. Misc. Bks. 202, p. 34). Thereafter business goes on as usual in unbroken sequence.

² Trevet, p. 335.

³ Hemingburgh, ii. 58-9.

⁴ Morris, p. 255.

⁵ *Annales Monastici* (Rolls Series), iv. 519.

⁶ I adopt Professor Tout's modernization of the monk's 'Meismidoc' (*Political History of England*, iii. 190).

and contains a good deal of detail—especially chronological detail—which when tested proves him to have been a careful and well-informed writer. It is characteristic, for example, that he should mention the name of the site of Warwick's victory. It is equally characteristic that he should also give the date. The battle was fought, he says, on 5 March 1295.

Before proceeding further, it is well to stop for a moment to consider the evidence on which the battle has been assigned to 'a day or two before January 24'. That evidence is twofold, but indirect: first, the language of the chronicler Trevet, and secondly, a letter of protection issued on 24 January at Conway in favour of John Giffard.¹ The language of Trevet need not detain us. Giffard's letter of protection, however, is more important, because it furnished Dr. Morris with his 'reason for fixing the date exactly'. The argument had better be stated in his own words.

On January 24 the king, 'wishing to show his gratitude to John Giffard, has taken him under his special protection and defence on account of his bodily infirmity, and also because quite recently he and his men have powerfully aided the king in the king's Welsh expedition'; *regi potenter subvenit hiis diebus*. It is not too much to assume that Giffard had pacified the march of Builth and had now come north; Hereford also, some of whose followers had protections dated January 7, had probably come up after pacifying Brecknock. We can picture to ourselves the Earl of Warwick's position. He hears of the blockade of the king at Conway, at once closes up the rear of the English army which is spread out eastwards, picks up the corps of Giffard and Hereford, catches the Welsh unawares, and, by defeating them in pitched battle, relieves the king and castle. Giffard is wounded in the battle, and receives the king's special thanks. On these data the battle near Conway may be assigned to a day or two before January 24.

Three points in this chain of reasoning call for comment. In the first place it must be realized that the supposed presence of the earl of Warwick with the rear of the king's army is a pure hypothesis, a hypothesis which can be disproved. Then it must be noticed that the letter of protection has not been quite accurately translated. The letter as enrolled reads:

Rex volens Iohanni Giffard tum propter corporis sui inualitudinem tum pro eo quod de hominibus suis in expeditione regis Wallie regi potenter subvenit hiis diebus, gratiam facere volens [*sic*], suscepit in protectionem et defensionem suam ipsum Iohannem. . . .²

This means, not that he 'and his men' have powerfully aided the king, but that he 'from among his men' has powerfully aided the king, i.e. by supplying troops from among his tenants

¹ Morris, pp. 255-6.

² Patent Roll, Supplementary, no. 10, m. 3.

('de hominibus suis').¹ The third point is the most important, since it concerns the interpretation of evidence. The main assumption underlying the argument of the whole passage quoted above is that the issue of a letter of protection is presumptive evidence that the person in whose favour it is issued is already with the king or is just joining the king. This assumption is made quite consciously: 'we are justified', says Dr. Morris, 'in using the roll of protections to enable us to mark the times and places';² usually, he takes the issue of a letter of protection as marking the arrival of the protected person at 'head-quarters'.³ Unfortunately, this assumption is inadmissible, and it has misled Dr. Morris more than once. A letter of protection for Osbert of Spaldington is issued at Worcester on 24 November:⁴ it is therefore inferred that he brought the infantry of Gloucestershire to Worcester; but according to the Wardrobe Accounts, Spaldington's Gloucester contingent was to be drafted to Cardiff.⁵ Again, letters of protection for three of Hugh of Cressingham's officers are issued at Wrexham on 11 December:⁶ it is therefore supposed that Hugh joined the king at Wrexham with the foot from Lancashire and the more distant counties; but we know from the Wardrobe Accounts that Cressingham and his men had been with the king at Chester several days before.⁷ Again, a letter of protection is issued for the earl of Warwick at Bangor on 10 April:⁸ it is taken to mark the arrival of the earl and his retinue at head-quarters; yet it can be proved that both he and his retinue were far enough from Bangor at that time. It is therefore a great deal too much to assume, on the mere evidence of a letter of protection issued at Conway on 24 January in favour of John Giffard, that Giffard had 'pacified the march of Builth and had now come north'.⁹ He could help the king 'de hominibus suis' without ever coming north, and he may well have been as far from Conway on 24 January as the earl of Warwick was from Bangor on 10 April. His letter of protection, by itself, gives no clue to his whereabouts. It proves nothing

¹ Giffard had, in fact, been ordered on 15 October to send men to Brecknock to serve under the earl of Hereford, and these were to be additional to those he had already supplied to serve in Gascony under the king's brother (*Parl. Writs*, i. 266). It is probably this extra service of Giffard's that is referred to in the letter of protection.

² Morris, p. 246.

³ e.g. *ibid.* pp. 246, 254, 256, 260-1, 263.

⁴ Pat. Roll, Supp., no. 10, m. 4.

⁵ *Supra*, p. 1, n. 4.

⁶ Pat. Roll, Supp., no. 10, m. 3.

⁷ *Supra*, p. 2.

⁸ Pat. Roll, Supp., no. 10, m. 2.

⁹ It is equally unsafe to assume that the earl of Hereford had 'come up after pacifying Brecknock'. The earl was still fighting at Abergavenny as late as 13 February (*Annals of Worcester in Annales Monastici*, iv. 519).

about any battle. It provides no reason for rejecting the explicit statement of a reliable contemporary chronicler that the battle was fought on 5 March 1295.

Assigning the battle to March 1295 must obviously modify the accepted view of its place in the general development of the campaign: whatever results the victory may have had, if it was not gained until March, it cannot have been the means whereby Edward was extricated from his difficulties in January: that had been achieved six weeks before the battle was fought. The date is thus a matter of some importance, and it is desirable, if possible, to obtain further evidence in support of the date given by the Worcester annalist. Such evidence is forthcoming. It can be elicited by putting a preliminary question: where was Maes Madog? Having denied that the battle was fought 'a day or two before January 24', may we still maintain that the site was 'near Conway'? The question is easier to answer if put in another form. Where was the earl of Warwick when he won Maes Madog? There can be no doubt about the answer. Warwick was in command of the army of Montgomery: he was, to quote his own words, 'cheueutayn de la host en les parties de Mountgomery'.¹ He had taken over command of this force at the beginning of December 1294;² he was still in command of it in May 1295, when he led his force from Montgomery to help the king in the pacification of South and West Wales.³ Thus it was as commander of the army of Montgomery that Warwick won Maes Madog. But the clinching evidence for the time and place of the battle is supplied by the following entries from John of Sandall's pay roll:

Item Thome Michel, Ricardo Body, vallettis, pro vadiis suis et xx peditum conducentium Griffinum ap Howel ap Fulch et Griffinum ap Howel ap David, prisiones captos in discumfitura facta super Maddok ap Thlewelyn, qui se facit principem, in terra de Kerenion die sabbati v^{to} die Martii, euntes ad regem apud Conewey et pro vadiis dictorum prisonum per xii dies et pro equis ad opus dictorum prisonum locandis. iiii li. vi s.⁴

Item Ade Bernard eunti versus dominum regem vi^{to} die Martii per

¹ See the twenty-one letters from Warwick to the chancellor asking for respite of taxation for himself and about ninety-three persons serving under his command (Ancient Correspondence, xxvi, nos. 84-104). Twelve of the letters are dated, the earliest bearing the date 25 March 1295, the latest 6 May 1295.

² Sandall's pay roll separates the payments down to 5 December from those commencing 6 December by the heading 'Adventus Com. Warrewik' (E. 407/5/37, m. 2).

³ 'Deinde mandavit [rex] domino Willelmo comiti Warwike, quod in partibus Meronnith sibi occurrat. Et comes in manu valida xiii die Maii de Mungomeri movit castra' (Annals of Worcester in *Annales Monastici*, iv. 519). This statement is confirmed by the Wardrobe Accounts (T.R. Misc. Bks. 202, p. 41).

⁴ E. 407/5/37, m. 6.

man . . .¹ pro expensis suis pro rumoribus domino regi nuntiandis de discumfitura facta super M . . .¹ xx s.²

The date of the battle, it will be observed, is definitely stated to be 5 March, thus confirming the Worcester chronicle. Still more important is the statement that the battle was fought 'in terra de Kerenion', which is a district just to the north-west of Montgomery. This finally disposes of the supposition that the fight took place 'near Conway'. Maes Madog clearly was 'en les parties de Mountgomery': it was in Caereinion. And this, it may be noticed, is almost the very region to which the battle has long been assigned by Welsh tradition. Powel, in his *Historie of Cambria* published in 1584, gives this account of the collapse of Madog's rising: Madog, he says, came with a force to Oswestry, ravaged the district round Knockin, and was advancing towards Shrewsbury when he was met and defeated by 'the lord Marchers upon the hills of Cefn Digolh not farre from Caurs castell', being himself taken prisoner or, according to others, escaping from the field and surrendering some time later.³ It would appear that Powel is here referring to the battle of Maes Madog, which was really fought, as has just been seen, somewhere in the district of Caereinion. Now the hills of Cefn Digoll, commonly known as Long Mountain,⁴ though not actually in Caereinion, are only about ten miles east of its eastern limit. Tradition has thus, for once, kept very near the truth.

The battle of Maes Madog, as Dr. Morris has long ago shown, is of great interest in the history of English military tactics: it was won by combining bowmen with cavalry, and it thus forms an important link in the chain of development leading up to Crécy. Any new data that can be obtained about the composition of Warwick's force are therefore worth noting, and something can in fact be gathered from John of Sandall's pay roll. This roll was Sandall's account 'de denariis receptis et liberatis in guerra Wallie super Maddoc ap Thlewelin in exercitu Montis gomery', and although it has not survived quite complete, there seems no reason to suppose that anything has been lost except the decayed end of the last membrane, which deals with incidental expenses: it seems clear that the sections dealing with the wages paid to horse and foot are intact. The mounted contingent of the

¹ A piece of the membrane, about two inches long, has been torn out.

² *Ibid.* m. 7.

³ Powel, pp. 381-2. I have failed to discover Powel's authority for his story, but there appears to be no reason for regarding it with suspicion.

⁴ The word Digoll is still preserved in the name Caer Digoll (called Beacon Ring in English), an old earthwork standing on Long Mountain near its southern termination (Royal Commission on Historical Monuments in Wales and Monmouthshire, *Inventory of Ancient Monuments—County of Montgomery*, p. 61; Leland, *Itinerary in Wales* (ed. Smith), p. 54; Pennant, *Tours in Wales* (ed. 1883), iii. 196-7).

Montgomery army in pay, on 5 March 1295, the date of the battle, was as follows :¹

<i>Payee.</i>	<i>Sum per diem.</i>	<i>Bannerets.</i>	<i>Knights.</i>	<i>Valletti.</i>
	s.			
Robert Fitzwalter . . .	43	2	7	21
Ralph Basset . . .	20	1	3	10
Robert de Vere . . .	16	1	2	8
Peter de Mauley . . .	15	1	2	7
Edmund Deincourt . . .	14	1	2	6
William de Mortimer . . .	10	—	2	6
John de Ingham . . .	8	—	2	4
Andrew de Astley ² . . .	12	—	2	8 ³
Robert de Scales . . .	6	—	1	4
Richard de St. Valery . . .	7	—	1	5
Walter Haklutel . . .	5	—	1	3
William de Pole ⁴ . . .	4	—	—	4
Thomas Michel ⁴ . . .	1	—	—	1
Nicholas de Borewardesley ⁴ . . .	1	—	—	1
Total		6	25	88

This makes a total, as will be seen, of 119 lances.⁵ We must allow, of course, for the possibility that there may have been a few more who served without being mentioned by Sandall. It is known, for example, that a little later the earl of Arundel was serving in the Montgomery army,⁶ although he is not recorded by Sandall as drawing pay: this is probably due to the fact that Arundel, who as lord of Oswestry and Clun had important interests in the marches near Montgomery, was serving at his own costs and not at the king's wages.⁷ This example shows that Sandall's figures must not necessarily be taken as the absolute maximum strength of Warwick's mounted troops: there may

* ¹ E. 407/5/37, mm. 4-5. The rates per diem were, banneret 4s., knight 2s., vallettus 1s.

² Andrew was himself a banneret, but he does not seem to have been serving between 4 January and 8 March inclusive: at any rate he drew no pay for himself during that period.

³ The roll says vii, probably in error for viii.

⁴ These appear from time to time in the infantry roll as 'constables', and Borewardesley at least was probably acting in that capacity on 5 March. But it seems impossible to say how the other five were employed just then. I have therefore, for convenience, included them all in the mounted contingent, since they were, as a matter of fact, mounted.

⁵ The names of about ninety-three persons (the documents are not completely legible) serving under Warwick in March, April, and May 1295 are still extant (*supra*, p. 8, n. 1). Most of these were probably among the 119 lances on 5 March.

⁶ Ancient Correspondence, xxvi, no. 95.

⁷ This refers to the earl's personal service. Sandall's roll records the wages of 9 constables and 1,000 foot of the earl of Arundel on 13-16 May 1295 (E. 407/5/37, m. 3).

have been a few additional details, but they are not likely to have been many: 119 lances probably gives a fairly accurate idea of the total mounted force upon which Warwick could draw at the date of the battle of Maes Madog. As to his infantry, we find that the number in royal pay on 5 March amounted to 26 constables and 2,689 foot, all drawn from Shropshire, together with 13 crossbowmen and archers.¹ So far as is known, this was Warwick's full strength in infantry on 5 March: there seems to be no indication that he had at that time any other infantry which is unaccounted for on the pay roll. In short then, so far as one can discover, the maximum strength of the Montgomery army on 5 March was something like 119 lances, 2,715 foot, and 13 crossbowmen and archers. What proportion of this total strength was present at the battle it is impossible to say. Of the Shropshire foot, 2 constables and 200 men are noted in the pay roll as forming at that time a garrison in the town of Montgomery, so they were presumably not at Maes Madog. Again, Trevet's statement that Warwick took with him 'electa militia' together with crossbowmen and archers seems to indicate that only a portion of his mounted force took part in the battle. And indeed all this is highly probable *a priori*: very rarely does the battle strength of an army come anywhere near its pay strength.

The figures just adduced show that Dr. Morris was right in supposing that Warwick 'cannot have had a very large force' for the battle of Maes Madog. In fact, they suggest that the earl's force may have been rather small—certainly very much smaller than it had been on occasions in December and January.² Yet he gained a striking victory. According to the well-informed annalist of Worcester, the Welsh lost 700 of the nobler sort killed, in addition to those drowned and mortally wounded, while Madog himself barely escaped ('cum dedecore vix evasit'). Warwick owed his victory partly to surprise: according to Trevet he reached the battle-field by a night march and surrounded the Welsh on all sides, apparently before they could do anything to save themselves. But in the main, the victory was undoubtedly due to the earl's skilful combination of horsemen and archers: the heavy Welsh losses in killed, wounded, and drowned indicate both the effectiveness of the shooting and the closeness of the pursuit. Warwick's casualties, on the other

¹ *Ibid.* The thirteen crossbowmen and archers drew pay at 3*d.* per diem and were therefore probably picked men. Presumably they were not all the bowmen that Warwick had: no doubt a proportion of the ordinary infantry at 2*d.* per diem were also armed with the bow. See Morris, p. 99.

² e.g. 6-9 December, 112 constables, 11,460 foot; 30 December—2 January, 107 constables, 11,700 foot; 5 January, 131 constables, 14,106 foot; 6-7 January, 127 constables, 13,706 foot (E. 407/5/37, m. 2).

hand, seem to have been very small. The pay roll shows no change whatever in the numbers of his cavalry in the days immediately following the battle. This fact, incidentally, makes one doubt whether Dr. Morris is right in interpreting Trevet's account to mean that Warwick began the fight by making an unsuccessful cavalry charge.¹ An unsuccessful charge would almost certainly have involved casualties. The earl's infantry, however, certainly did suffer some losses. The infantry pay roll definitely mentions six '*hominibus vulneratis in discumfitura facta super Maddok ap Thlewelyn*' who received payments (two of them '*per preceptum domini comitis Warr.*') '*ad vulnera sua sananda*'. There is also a slight decrease in the total infantry pay strength—from 26 constables and 2,689 men on 5 March to 27 constables and 2,597 men on the 6th and 7th, a net decrease of 91²—which may possibly have been due to the battle, either wholly or in part. But even so—and even if the Worcester monk's account of the Welsh casualties is exaggerated—Warwick's total losses must have been very much lighter than those of the Welsh.

It is now possible to appreciate more exactly the true significance of Maes Madog. It would appear that the reverse suffered by the king in January was much more serious than has been supposed: it brings the king, for the time, to a standstill, and reduces him to the defensive. It leaves Madog at the height of his prestige. Madog naturally makes the first move in the spring campaign two months later. He does not, however, venture to attack the king in his impregnable position at Conway. Like Llywelyn in 1282, he turns southwards. He takes personal command of operations in mid-Wales, hoping, no doubt, to gain a victory that will at least ensure his hold on Powys, and may even shake the king's grip on Conway. But his move proves as disastrous as that of his predecessor thirteen years before. Taken by surprise and overwhelmed by superior tactics, he suffers a crushing defeat at the hands of Warwick, and though he escapes with his life, he escapes a broken man. Thus the real importance of the battle is not that it rescued Edward at the close of the winter campaign of 1294, but that it ruined Madog at the opening of the spring campaign of 1295. It rid the king in March of the opponent who had successfully barred the road to him in January. A month after the victory, Edward was moving along that road to complete the pacification of Wales.

J. G. EDWARDS.

¹ Morris, p. 257.

² E. 407/5/37, m. 3.

The Production and Exportation of English Woollens in the Fourteenth Century

ALTHOUGH considerable attention has been given to the early organization and technique of the woollen industry in England,¹ there is still little precise statistical information about it during the first century of its growth. About the exportation of wool and of woollens during the reign of Henry VIII we have been for some time well informed. From the enrolled customs accounts, Schanz was able to show, along with other characteristics of English commerce, the annual shipments of these commodities, the share of each port in the trade, and the respective activities of denizens, Hansards, and other aliens.² Only recently Mr. Heaton has tabulated from the ulnage accounts the output of English woollens, county by county, at about 1470, and has indicated the still earlier development of the industry in Yorkshire.³ Apart from these statistics of an already established industry, the output and exportation of woollens have been the subject either of isolated reference or general conjecture. Misselden, quoting a customs account which he attributes to 1354, ascribes to that year the exportation of 4,774 broadcloths and 8,061½ pieces of worsted stuff.⁴ Lord Cromwell in 1433 computed the return from the subsidy and ulnage on cloth at £720 10s. 1d., a sum which implies an annual production for the market of 38,426 cloths.⁵ This total, as it happens, accords closely with

¹ Especially by W. J. Ashley, *An Introduction to English Economic History and Theory* (London, 4th ed., 1906); L. F. Salzmänn, *English Industries of the Middle Ages* (London, 1913); E. Lipson, *An Introduction to the Economic History of England* (London, 1915).

² G. Schanz, *Englische Handelspolitik gegen Ende des Mittelalters* (Leipzig, 1881). He found that in the early years of Henry VIII the annual exportation was some 80,000 broadcloths (ii. 86 ff.).

³ H. Heaton, *The Yorkshire Woollen and Worsted Industries* (Oxford, 1920).

⁴ *The Circle of Commerce* (1613), p. 119; copied in D. Macpherson, *Annals of Commerce* (London, 1805), i. 553. This total does not apply to the year in question, nor indeed to any other (cf. below, p. 17, and Appendix I). It is nearest to the number of woollen cloths (4,426) exported during the first complete year of which we have record, Michaelmas 1347–Michaelmas 1348.

⁵ *Rotuli Parliamentorum*, iv. 433.

the 40,000 cloths which is Mr. Heaton's figure for 1470.¹ The fortunes of the industry between 1354 and 1433 have never been explored, and the estimates for either of these years may be faulty. To discover what the fourteenth century contributed towards the output characteristic of the fifteenth is preliminary to any extended study of English industrial development. Data for ascertaining the fourteenth-century output are at hand in the records already used by Schanz and Mr. Heaton. The admirable tabulation of exports made by the former from the customs accounts may, for cloths, be extended back to 1347;² and the ulnage accounts used by the latter are the latest rather than the earliest of those which survive.³ The two kinds of statistics supplement each other happily, the ulnage figures showing the relation of exports to output.⁴ Since two groups of ulnage accounts survive from the fourteenth century, the data are adequate for the formulation of approximate statistical conclusions.

For a decade before 1347 the government had been struggling to secure larger and more permanent sources of income. The most satisfactory of its expedients had been the imposition of a subsidy of 40s. upon exported wool over and above the existing custom of half a mark.⁵ This heavy tax was within a few years to act as an artificial stimulus to the manufacture of woollens at home; and when, to the effect of tariffs, there was added the marked encouragement given by the government since the later days of Edward II,⁶ a suddenly enlarged production was to be expected. By 1347 it was argued that, since exporters of wool were bearing new and heavy burdens, it was only fair that exporters of woollen cloths should contribute to the country's

¹ p. 85.

² The enrolled customs accounts are in Exch., Lord Treas. Rem. Rolls 4-14 have been utilized in this paper.

³ The later ulnage accounts are in Exch., Queen's Rem., Accounts (Various), but the earliest are with the Customs Accounts, Roll 7. Ulnage was the payment made by the seller of cloths to a state inspector called the ulnager, who, in turn, 'sealed' the cloths as conforming to statutory requirements in length and breadth. First imposed in 1197 by Richard I (*Chronica Magistri Rogeri de Hovedene*, ed. Stubbs, iv. 33), it was in 1353 joined with a 'subsidy' on the sale of cloth (*Statutes of the Realm*, i. 330), henceforth also collected by the ulnager. The subsidy was fixed at 4d., the ulnage at ½d. The innovation of 1353 led to the making of the earliest surviving returns of the number of cloths sold in the country.

⁴ Sometimes the reports of collectors of ulnage and customs do not extend neatly from Michaelmas to Michaelmas (as they do at their best), but concern themselves with fractions of a year. In such cases estimates have to be made on the assumption that exportation and production were at an unvarying rate throughout the year, as, of course, they were not. Estimates of this sort, however, are introduced below so infrequently that the percentage of error is slight.

⁵ F. R. Barnes, 'The Taxation of Wool, 1327-1348', in *Finance and Trade under Edward III*, ed. G. Unwin (Manchester, 1918).

⁶ See below, p. 22.

needs by paying similar, even if less onerous, customs.¹ In consequence, a council summoned at Westminster on 3 March 1347 authorized the imposition of a tax of 14*d.* upon broadcloths or 'cloths of assize' exported by denizens and of 21*d.* upon those exported by aliens.² Inasmuch as the collection of this tax necessitated the making of returns at the exchequer, we have from April 1347 a continuous record of English cloths exported.

Although in a brief paper there can be no question of examining the evidence on the output of cloth in England earlier than 1347,³ there is reason for noting earlier statistical data on two closely related points. These are the number of sacks of wool annually exported from England at about 1347 and the number of cloths then annually imported. The accepted generalization that before the outbreak of the Hundred Years' War England was the greatest producer of raw wool for the Continent and a considerable importer of finished cloths is, of course, correct. Schaube has shown that, in 1273, 32,743 sacks of wool were carried to the Continent by denizen and alien merchants.⁴ Was the traffic similar seventy years later? Inasmuch as the decade before 1347 was one of continual war, much harassed by commercial restrictions, a clearer view of normal conditions is given by the figures of Michaelmas 1333–Michaelmas 1336. These disclose an average annual exportation of 32,307 sacks of wool, 7,936 of them carried by aliens, and 24,371 by denizens.⁵ Most of this wool passed through the staple ports of Hull, Boston,

¹ *Rot. Parl.*, ii. 168.

² These rates were applicable to nearly all woollens exported. Such were 'broadcloths', called *panni de assisa*, the assize or legal dimensions being for cloths of colour 26 yds. in length by 6½ or 6 quarters in breadth, for cloths of ray 28 yds. by 6 or 5 quarters (*Statutes*, i. 330, 395; ii. 60, 154), and also called *panni sine grano*, the 'grain' being the scarlet dye made from kermes or cochineal. On the few 'scarlets' and other *panni de integro grano* exported, denizens paid 2*s.* 4*d.*, aliens 3*s.* 6*d.* All broadcloths smaller than one-half of a whole cloth were exempted from payment. On worsteds the respective rates were 1*d.* and 1½*d.*; on *lecti simplices*, 5*d.* and 7½*d.*; on *lecti duplices*, 9*d.* and 13½*d.* (*Cust. Roll* 7, memb. 7; *Cal. Pat. Rolls.*, 1345–8, p. 276. Since, according to the so-called *nova custuma* of Edward I, aliens were already taxed 12*d.* on imported or exported cloths, the duty actually became for them 2*s.* 9*d.* on exported cloths of assize. The Hanseatic merchants, by writ of 8 February 1361, secured exemption from the new impost, paying only the older 12*d.* on broadcloths exported, and only the existent 3*d.* *ad valorem* on worsteds (*Cal. of Close Rolls*, 1360–4, p. 151). An unfortunate consequence of the last exemption is that the number of worsteds exported by Hansards is not, after 1360, revealed in the customs accounts.

³ See pp. 22–4 below.

⁴ A. Schaube, 'Die Wollausfuhr Englands vom Jahre 1273' (*Vierteljahresschrift für Social- und Wirtschaftsgeschichte*, 1908).

⁵ Customs Roll 8. By years the exportation was: aliens 6,730 sacks, denizens 21,568 sacks; aliens 8,399 sacks, denizens 26,157 sacks; aliens 8,678 sacks, denizens 25,389 sacks. The Yarmouth figures for the last year are incomplete. Some 400–500 sacks more were probably exported.

London, and Southampton,¹ and shipment from these ports continued to be the practice for the next two centuries. It is noteworthy, too, that 75 per cent. of the trade in England's most important commodity was in the hands of Englishmen. In 1272 the share of denizens had been 35 per cent.²

The number of foreign cloths imported into England at this time is less accurately ascertainable than is the wool exported. Only cloths brought by alien merchants paid the *nova custuma* of Edward I, and are noted in the customs rolls. Native merchants, however, must have brought in others, although probably not a great many. The importation by foreigners from Michaelmas 1333 to Michaelmas 1336 averaged 7,384 cloths annually ;³ and importations by denizens may have increased this figure to 9,000 or even 10,000.⁴ Descriptions of certain foreign cloths confiscated in 1334 make clear that they were largely stuffs from the Low Countries, the 'rayed' cloths of Ghent, Termonde, and Antwerp, with an occasional green cloth of Bruges.⁵

In a market characterized by the exportation of from 30,000 to 40,000 sacks of wool and the importation of perhaps 10,000 foreign cloths annually, shipments of English-made stuffs must have been, at best, a minor feature. Ten years of war, however, and the stimulus given to the industry by the government's policy brought by 1347 the results disclosed in the following table.⁶ This is extended over a period of six years and a half, since until 1353 the accounts record only total shipments, omitting the port of departure. They do, however, distinguish shipments of denizens from those of aliens, the tariffs being different, and, for the same reason, they separate woollen cloths from worsteds.

As the first account extends over only twenty-three weeks (but these probably favourable weeks for shipment), it is better not to generalize from it further than to note that, if it were made the basis of computation for a year, this year's exports would be considerably larger than those of the following year. The following year will have to serve as a standard ; for, after Michaelmas 1348, the effects of the pestilence became apparent. From the figures of 1347-8, supplemented by those of the pre-

¹ By years : Hull (or York), 4,647, 5,795, 5,537 ; Boston (or Lincoln), 6,438, 7,666, 6,917 ; London, 11,554, 13,515, 14,933 ; Southampton (or Winchester), 2,694, 4,015, 3,060 ; Lynn (or Norwich) and Newcastle came next, the former with 1,107, 967, and 664 sacks ; the latter with 916, 1,480, and 874.

² Schaube, p. 68.

³ Customs Roll 4. By years : 8,364, 6,944, and 6,843 cloths. Eighty-five per cent. of them, an average of 6,326, came to London, most of the remainder to Southampton and Boston.

⁴ In 1356-8 native merchants imported into London 1,108 woollens yearly, and perhaps a few hundreds into other ports (see below, p. 21). It is doubtful whether this branch of their trade had been greater a generation before.

⁵ Exch., Queen's Rem., Accounts, bundle 346, no. 6.

⁶ The data are in Customs Roll 7.

ceding summer, we may infer that England was at the time producing for export some 4,500 woollens and some 7,500 worsteds annually, shipments which go a long way to balance the nine or ten thousand cloths probably imported.

ENGLISH WOOLLENS AND WORSTEDS EXPORTED

	21 April 1347- Mich. 1347.	Mich. 1347- Mich. 1348.	Mich. 1348- Mich. 1349.	Mich. 1349- Mich. 1350.	Mich. 1350- Mich. 1351.	Mich. 1351- Mich. 1352.	Mich. 1352- 3 August 1353
Woollens, by denizens	2,639	4,058	1,535	1,150	647	1,128	576
„ by aliens	570	368	217	126	64	117	213
Total	3,209	4,426	1,752	1,276	711	1,245	789
Worsteds, by denizens	1,983	5,718	2,302	3,395	3,122	3,261	2,620
„ by aliens	2,364	1,538	1,978	—	60	382	1,351
Total	4,347	7,256	4,280	3,395	3,182	3,643	3,971

In the statistics of the following years there is significant testimony to the havoc wrought by the Black Death. The decline in the number of cloths exported was sharp in 1349 and 1350, amounting to 50 per cent. of the worsteds and to 65 per cent. of the woollens.¹ In 1351 it was greater still, the year apparently being one of extreme exhaustion. The recovery of 1352 and 1353 was so slow as to be scarcely perceptible. Only in 1354, after five years of prostration, did the export trade revive.² In 1356 it was once again normal, and during the next four years was to become more prosperous than before the pestilence. It would be desirable to confirm this testimony about the five black years from the fluctuations in the exports of wool. Unfortunately, the records of the wool customs are wanting from 1348 until 1350. Apparently conditions were so bad that at the beginning of the latter year the government was not endeavouring to collect any subsidy over and above the half-mark of the *antiqua custuma*, and perhaps not even that. In February an effort was at length made to return to pre-pestilence practices by levying a modest subsidy of 2s. the sack, the collection to continue for a year. After four months the attempt was abandoned. During the four months only 4,217 sacks had paid the subsidy,³ an exportation which represents some 12,000 sacks yearly, or little more than 35 or 40 per cent. of normal shipments. Before another year had passed, however, the wool trade had greatly improved. In September 1350 the subsidy of 2s. was reimposed, and this time collected for a year. By September

¹ The more favourable showing of the worsteds may imply that the worsted-producing area, which was clearly Essex and East Anglia, suffered less from the pestilence than did the south-west.

² See Appendix I.

³ Customs Roll 5.

1351, 33,155 sacks of wool had paid the impost and the trade seemed to be flowing in its normal channels.¹ Even if allowance is made for some shipments possibly deferred from the lean preceding months, these facts are remarkable. Apparently we may conclude that the recovery of sheep-growing from the effects of the pestilence was more rapid than the recovery of industry. Sheep could be tended and shorn even though there were fewer hands to spin and weave. To restore industry some three more years were needed.

With the recovery of industry in 1354 we reach two groups of statistics so important that they deserve to be given year by year. They are the customs and ulnage accounts from 1353 to 1358. Shipments of cloths recorded in the former, and for the first time enrolled by ports, are shown in Appendix I, the worsteds being given not by ports, but only in yearly totals.² Two aspects of these figures are of interest. The first is the greatly increased exportation of both woollens and worsteds. In contrast with the 4,500 woollens and 7,500 worsteds of 1347-8, the average for the four years, Michaelmas 1356-Michaelmas 1360, was 9,390 woollens, and for the last three of these years, 25,379 worsteds.³ Despite the pestilence, the trade in the former had doubled within a decade, the trade in the latter had trebled. And the second point of interest is the seeming importance of the worsteds. When we recall, however, that an exported worsted paid a duty of 1*d.*, whereas a broadcloth paid 14*d.*, it appears that, unless the assessment was inequitable, the 25,379 worsteds should be divided by about fourteen to equate them with broadcloths.⁴ Thus equated their numbers shrink, but do,

¹ Customs Roll 5.

² The accounts are in Customs Roll 7. Later accounts show that nearly all worsteds were shipped from London or Yarmouth.

³ The exportation of worsteds during these three years was nearly three times the average of the preceding four years.

⁴ When we first get statutory dimensions of worsteds in 1442 (*Statutes*, ii. 322), the single worsted seems to have been a little less than two-fifths as large as the broadcloth. The relative values of the two would thus have been in the ratio of about one to five. In comparison with the broadcloth, the dimensions of which were 26 yds. by 1½ yds., the statute in question enacted that the bed of great assize should measure 14 yds. by 4 yds., the bed of mean assize 12 yds. by 3 yds., the bed of least assize 10 yds. by 2½ yds., the double worsted 10 yds. by 1½ yds., the demi-double 6 yds. by 1½ yds., and the 'rolle worsted' 30 yds. by ½ yd. Of these sorts it was probably the 'rolle' rather than the demi-double which represented the single worsted of the middle of the fourteenth century. A statute of 1394 (*Statutes*, ii. 88) permitted the exportation of 'boltes' of single worsted, while forbidding that of doubles and demi-doubles. The rolle or bolte was presumably at the moment looked upon as an inferior stuff, more fit for export than for the home market. In quality doubles and demi-doubles were perhaps more like the beds already woven and exported in 1347. Single beds were then taxed 5*d.* at the customs, double beds 9*d.*, the former being smaller than the broadcloth, the latter larger. The relative value of worsteds of this sort to that of broadcloths was, therefore, in the ratio of about one to two.

nevertheless, bring the total annual shipments in terms of broadcloths to about 5,000 before the Black Death, and to upwards of 11,000 during the years 1357-60. Since the customs record thenceforth shows a steadily diminishing number of worsteds exported, but is confessedly incomplete, they have been disregarded in the computations which follow.¹ It should, however, always be borne in mind that on the edge of the developing industry in broadcloths, there was always this fringe of inferior stuffs.

From the customs we may now turn to the ulnage accounts of the period after the pestilence to inquire what output lay behind the 9,390 cloths of assize then exported annually. Fortunately these accounts have been preserved from 1 December 1353 to Michaelmas 1358; but because they have been bound up with the customs records they have escaped notice.² Accounts were returned from ports³ and from counties, the result being that county boundaries are not always strictly adhered to. In Appendix II the statistics are grouped, partly with reference to later developments, in six areas. The sales of the ten months from 1 December 1353 to Michaelmas 1354 and the sales of the next two years have been tabulated separately, because of the unsettled conditions of these years. Occasionally an account is missing. If this happens for either of the last two years, the output of the other year is taken as representative (so in the case of Essex, Kent, Wiltshire, Warwickshire, Nottinghamshire, and Derbyshire). If an account extends over only a part of a year, as it sometimes does, the output per month is multiplied by twelve (so with Norwich and Berkshire, 1354-5, and the city of Lincoln, 1355-6). Where the ulnage of a port is collected from imported as well as from domestic cloths, the number of imported cloths, as far as it can be ascertained from the *nova custuma* accounts of alien imports, has been deducted from the ulnager's figures (so at Newcastle, Hull, Boston, Yarmouth, London, Sandwich, Southampton, and Bristol). Practically the whole of England is represented, the absence of returns from Durham, Monmouth, Chester, Lancashire, and Cumberland concealing no production of consequence.⁴ Some foreign cloths

¹ By the end of the fourteenth century the recorded number had sunk below 5,000 annually (Customs Roll 14 *et seq.*). But after 1361 Hanseatic shipments were untaxed, and hence unrecorded. They may well have been as large as the shipments of denizens. In importance worsteds were being superseded by kerseys (cf. below, pp. 27-8).

² Customs Roll 7. Mr. Heaton apparently did not know of their existence.

³ The ports were those at which customs were collected, the arrangement probably being made to facilitate the collection of ulnage upon imported as well as domestic cloths.

⁴ The sales in Westmorland, Staffordshire, Nottinghamshire, and Derbyshire illustrate the unproductiveness of this region.

imported by denizens have probably crept into the totals, but they cannot have been more than a few hundreds yearly.¹ The cloths accounted for at Yarmouth have been ascribed to Suffolk rather than to Norfolk, since later accounts show that the broad-cloth-producing area was in the former county and in Essex.² Under Hampshire appear many cloths made in other counties, as at Salisbury and Shaftesbury, since these were reported by the ulnager at Southampton;³ and in the same way the ulnager at Bristol accounted for cloths made at Bath, Wells, and Bridgewater.

The number of cloths of assize offered for sale in England from 1 December 1353 to Michaelmas 1358 varied from about 11,000 to about 16,000 annually. During 1354 and 1355, years in which the export figures still recorded the effects of the pestilence, the annual output was about 11,000 cloths. In both years the London figures given are incomplete, it being impossible to separate entirely domestic from foreign cloths sold by denizens. For the first year, accounts from Wiltshire and Warwickshire are also wanting. If allowance is made for these shortcomings, the sales of the ten months of the first year would be close upon 12,000 cloths. At this rate of production the output for the entire year would have been more than 14,000 cloths. In view of the output of the two following years, of the shortness of the interval since the Black Death, and of the low level of the export figures for the year, we cannot but conclude that the ten months' figures probably represent sales which would normally have taken place, and perhaps did take place, somewhat before 1 December 1353, the date when the 4*d.* subsidy on vendible cloths was first collected in addition to the ½*d.* ulnage. In 1356, the year in which the export figures began to improve, a few more broadcloths were sold than in 1355. From Michaelmas 1356 to Michaelmas 1358 the average annual sales were 15,610. This was a high-water mark, much as the average exports for the same two years, 9,764 cloths, were the highest with which we have met. The generalization which seems warranted is that, as soon as the country had recovered from the effects of the Black Death in 1357, it was manufacturing for sale some 15,000–16,000 woollen cloths, of which about two-thirds were exported. In addition some 25,000 worsteds were exported, equivalent in value to perhaps

¹ For the port of London, to which most foreign cloths came, it is sometimes possible to eliminate those imported by denizens (see below, p. 21). But it is impossible to tell whether 600–700 cloths sold annually at Boston, Hull, Newcastle, and Yarmouth were of foreign or domestic make.

² See p. 31, below.

³ His account relates to cloths made at Southampton, Winchester, Romsey, Salisbury, and Shaftesbury. There is a separate account for Hampshire and the Isle of Wight, but the sales were few.

2,000 cloths of assize. How many more worsteds were produced for the home market cannot be determined, since these paid no ulnage. In addition, a large number of cloths, both woollens and worsteds, must have been woven for domestic use, never coming into the market at all. Despite the increased output of domestic woollens and worsteds in the years just before 1360, foreign cloths were still imported in considerable quantities. The ulnage accounts here also extend our knowledge; for in two instances they tell how many foreign cloths were sold in London by native as well as by foreign merchants.¹ From Michaelmas 1355 to Michaelmas 1357 denizens sold in London a yearly average of 1,108 imported cloths, aliens an average of 3,342.² In other ports aliens sold an average of 1,037.³ If denizens imported as many as 500 cloths into ports other than London, the total average annual importation of foreign cloths was about 6,000. We have seen that thirty years earlier it was perhaps 9,000 or 10,000. Despite, therefore, an expanding industry which by 1356-8 was producing annually some 15,000 woollens for sale and was exporting about 10,000 of them, the country still purchased more than half as many woollens as it sold.

Even more interesting than the testimony of the ulnage accounts to the annual production of English woollens is the light which they throw on the localization of the industry. Were we forced to make surmises about this from the ports of export as revealed by the customs, we should at once infer that worsteds came from the counties near London, Yarmouth, and Boston, and that woollens came from the south-west, a region marketing its products at Southampton, Exeter, and Bristol. With this inference we shall have to be content so far as worsteds are concerned, but in the case of the more important woollens we may, with the ulnage accounts, proceed to certainty. Three areas of considerable output appear, one of them far more productive than the others. It is the region stretching from Southampton and Winchester, through Salisbury, across the lower Cotswolds to Bristol and Gloucester. The largest single item in the averages of 1356-8, 4,412 cloths, is attributed to Southampton, Winchester, Salisbury, Shaftesbury, and adjacent places. Next in magnitude was the output of Bristol, Wells, Bath, and Bridgewater, 2,295 woollens. Other parts of Hampshire, Wiltshire, Dorset, Somerset, and Gloucestershire sold an average of 1,996 cloths. The five counties and the towns within their borders, therefore, produced in 1356-8 nearly 56 per cent.

¹ The customs accounts record only importation by aliens, these merchants alone paying the *nova custuma* of 1304. The instances cited are of exceptional occurrence.

² By years: 1,108 and 1,109, 3,309 and 3,375.

³ By years: 499 and 1,575.

of all the woollens offered for sale in England. The area next in importance was the one which had London as its centre, and embraced Kent, Surrey, and Sussex on the one hand, Essex, Suffolk, and Norfolk on the other. Together with London, these counties produced 3,759 cloths, or 24 per cent. of the entire output. If worsteds made in East Anglia be added, the district in question was as productive as the south-west. A third but less significant area comprised the counties of York and Lincoln, where the manufacture was practically localized in the two cities, York and Lincoln. Here were made on the average 2,088 cloths, or 13 per cent. of the country's output.¹ Other counties which had an appreciable manufacture were Devonshire, Herefordshire, Shropshire, Berkshire, Northamptonshire, and Warwickshire. Elsewhere the output was negligible.

A noteworthy feature of the industry in the middle of the fourteenth century was its localizations in cities or towns. Practically all the large production is from them. Foremost among these industrial communities, and roughly in the order of their output, were Salisbury, Bristol, London, and Winchester, each producing by 1357 upwards of 1,500 woollens annually, Lincoln and Canterbury producing 700 to 900 each, York, Wells, Bath, and Gloucester 300 to 500 apiece.² It is not without significance that several of these industrial communities distinguished themselves in the fourteenth century by church-building on a notable scale.

The marked localization of the industry in the south-west would seem to tell against the conjecture that it was, to any considerable degree, built up by immigrants of the fourteenth century.³ If there is little evidence to show that foreign cloth-workers came to England before 1337, and little to indicate that those who came after that date settled in the south-west, it is difficult to believe that the foremost woollen-producing district in the country in 1356 owed its prosperity to such an immigration. As

¹ The number 2,088 may be too large, including possible imports of foreign cloths by native merchants at Boston and Hull.

² During the ten months from 1 December 1353 to Michaelmas 1354, the output of Bristol was 1,447 cloths, of Wells, 366, and of Bath, 290. After this only the total production is given. There are no separate figures for Salisbury and Winchester, but later records show them the industrial centres of a region which in 1356-8 already produced upwards of 4,000 cloths annually. Under Richard II, Salisbury was the foremost woollen town of England. London was as productive as Bristol. During the first two years of the ulnage accounts, Canterbury sold an average of 950 woollens, but during the last three only 750, being the only city to show a falling off. The Lincoln average of 1356-8 was 846; that of York, 390. Certain towns which according to twelfth- and thirteenth-century records seem once to have excelled in cloth-making no longer had an appreciable number of woollens to sell. Such were Oxford, Northampton, Nottingham, Leicester, and Stamford (see Lipson, pp. 391-6).

³ See Ashley, ii. 193-203; Salzmann, pp. 133-341; Lipson, pp. 392-400; Heaton, pp. 2-20, 29; and Miss Sellars in *Victoria County Hist., Yorkshire*, ii. 439.

a matter of fact, the evidence on both points is slight. In 1331 Edward III first¹ issued letters of protection to John Kempe, a Flemish weaver, and 'to his men, servants, and apprentices'.² Although he promised similar favour to 'any other merchants of that mystery, who choose to come', there is no proof that others did so, until after this policy found expression in the statute of 1337.³ After 1337 colonies of men from the Low Countries did settle in York,⁴ London,⁵ and Norfolk,⁶ but, so far as we know, in not many other places. Very few Flemings drifted from York into the adjacent country;⁷ in 1343 a burgess of Ghent, with men and servants, was 'making stay' in Abingdon, manufacturing woollen cloths and trading in other wares;⁸ in 1337 Nicholas Apelman, dyer, a subject of the king of France, and other dyers and fullers came to Winchester and secured the protection guaranteed by the statute.⁹ In connexion with other towns of the south-west, Flemings are scarcely ever mentioned. Thomas Blanket of Bristol, sometimes surmised to have been an immigrant and famous as an entrepreneur, was already a burgess of note in 1336, and is never referred to as a foreigner.¹⁰ A list of some 150 sellers of cloth in Bristol in 1396 shows scarcely a foreign name.¹¹ Here, as in most cloth-making centres of the fourteenth century, except in York, London, and Norfolk, there is no reason for believing that Edward's immigrants were many in numbers. To what extent the new-comers may have contributed skill in making superior stuffs we can only conjecture; but there can be little doubt that the English woollen industry of the fourteenth century was fundamentally and overwhelmingly a native one, the normal, if prosperous, successor to that of the thirteenth century.

A marked development of cloth-making in the south-west and south-east seems, indeed, despite the absence of direct evidence, to be discernible as early as 1337. In that year the king contracted with English merchants that they should, exercising

¹ Although the ordinance of 1327, which repeated one of a few months earlier, may in its general encouragement of cloth-making have suggested a friendly attitude toward foreigners, it makes no reference to them (*Cal. of Pat. Rolls, 1324-7*, p. 269; *1327-30*, p. 99).

² *Cal. of Pat. Rolls, 1330-4*, p. 161.

³ *Statutes*, i. 280. Later commands to extend protection cite this statute as ground for action (e. g. *Cal. London Letter Books, Book F*, p. 111).

⁴ Heaton, p. 15.

⁵ Ashley, ii. 198-202.

⁶ In 1381 a Norfolk leader incited rebels 'ad querendum homines patrie de Flaundres ad eos occidentum' (Powell, *The Rising in East Anglia in 1381*, p. 135).

⁷ Heaton, pp. 17-19.

⁸ *Cal. of Pat. Rolls, 1343-5*, p. 115.

⁹ *Ibid.* 1334-8, p. 500.

¹⁰ *Ibid.* p. 268. A safe-conduct for a year issued to Thomas Blanket and his men and servants, whom he is sending in the ship *Lassumpcion* to Gascony and elsewhere. Cf. *Cal. of Close Rolls, 1339-41*, p. 311.

¹¹ Exch., Queen's Rem., Accounts, bundle 339, no. 2.

his right of pre-emption and deferring payment, take 30,000 sacks of wool from the producers and export them to the Continent. His share of the profit he would devote to preparation for war. We are informed about the regions from which most of this wool, practically a full year's clip, was to be taken.¹ Of the 27,900 sacks specifically assessed upon different counties, 10,700 were to come from Yorkshire and Lincolnshire, 7,700 from nine midland counties (Nottinghamshire, Derbyshire, Leicestershire, Staffordshire, Shropshire, Northamptonshire, Warwickshire, Oxfordshire, and Berkshire), 4,000 from Kent, Sussex, Surrey, and Middlesex. Of the remainder, five northern shires contributed 1,300 sacks (Cumberland, Northumberland, Westmorland, Durham, and Cheshire), eight shires of the east 1,600 (Cambridgeshire, Huntingdonshire, Bedfordshire, Buckinghamshire, Hertfordshire, Essex, Norfolk, and Suffolk), and seven shires of the south-west 2,600 (Hampshire, Wiltshire, Dorsetshire, Somersetshire, Gloucestershire, Worcestershire, and Herefordshire). These last two regions, which twenty-five years later stand forth as the textile-making districts of England, were thus to provide only from 200 to 400 sacks of wool per county, whereas several midland and northern counties were contributing upwards of 800 sacks apiece. The difference in assessment cannot be explained by differences in the size of the counties in question or altogether explained by the assumption that the north and midlands were so very much more devoted to sheep-raising than was the south-west and East Anglia. Everywhere in England the open-field system with its fallow field and common encouraged the raising of flocks. It is not credible that Norfolk and Suffolk, Wiltshire, Dorsetshire, and Somersetshire grew only one-sixth or one-fourth as many sheep respectively as Northamptonshire, Leicestershire, Warwickshire, Shropshire, or one-fifteenth as many as Lincolnshire. The assessment may, of course, have been inequitable; but it is more likely that it reflects a contrast between shires in which part of the wool grown was already consumed in cloth-making and those in which no industry of this sort prevailed. If this is so, the situation of 1347-8 is projected back to 1337.

During the decade which followed the years 1356-8 there seems to have been a continued expansion of the woollen industry, but after that little change for another twenty years. No ulnage figures for the period have survived, but the customs record of exports may be trusted to reflect conditions of production. In the year Michaelmas 1366-Michaelmas 1367, 16,439 broadcloths were exported, and in the following year 12,747, an average of 14,593 for the two years.² This is an increase of 55 per cent.

¹ *Cal. of Pat. Rolls, 1334-8*, pp. 480-3.

² Customs Roll 7; see Appendix III.

over the 9,390 woollens which constituted the average exportation of 1356-60. These figures understate rather than overstate the advance, since the later statistics do not include shipments from Lynn, Yarmouth, and Ipswich, which probably accounted for one or two thousand more woollens and for a large number of worsteds.¹ If the earlier ratio of three to two between the production and the exportation of broadcloths was maintained, production in 1367-9 must have passed beyond 20,000 cloths of assize yearly. Such was the culmination of the period of expansion which began in 1347-8, with a probable annual output (again inferred from exports) of fewer than 7,000 woollens, or about one-third of the number finally produced.²

An industrial expansion of this magnitude was bound to tell at length upon the supply of raw material available for the foreign market. During the two years, Michaelmas 1357-Michaelmas 1359, shipments of wool were still quite equal to the normal exportation of the first half of the century, being 37,691 and 33,979 sacks respectively. A decade later, however, from Michaelmas 1367 to Michaelmas 1369, they had dropped to 29,760 and 23,507 sacks for the successive years.³ Nor did they henceforth rise above 30,000 sacks. The precise year which definitely saw the drop below 30,000 sacks seems to have been 1363. In 1362 there were large shipments, but after that the normal 30,000 to 40,000 sacks of earlier years were never again available for export.⁴ Exactly how many sacks of wool went to the making of a thousand cloths of assize is a subject of conjecture. The sack of wool weighed 364 lb., the broadcloth of 28 yds. was by statute required to weigh 38 lb.⁵ An element of uncertainty is the wastage of the wool in the process of manufacture. Perhaps each sack of wool furnished raw material for seven or eight cloths.⁶ If so, the increase of 13,000-14,000

¹ There was a tendency to farm the customs of Lynn and Yarmouth at this time, and for the periods during which they were farmed there are no accounts of the collectors of customs. As the figures stand, no less than 50 per cent. of all exported broadcloths were shipped from the ports of the south-west, Bristol, Exeter, Melcombe, and Southampton. This is evidence of the continued industrial activity of that region.

² It was in 1370 that English merchants were ill-treated by Hansards at Scône for trying to make their herring purchases with English cloth rather than with money (*Rot. Parl.* ii. 306); and two years later we are told that 'plusours Seigneurs et autres de la Commune fount lours liveries des Draps Engleys' (*ibid.* p. 311).

³ Customs Roll 5.

⁴ I am indebted for these facts about 1362 and 1363 to Mr. F. Miller, who has tabulated the customs returns regarding the exportation of wool up to the fifteenth century, and is preparing a comprehensive study of the early English wool trade.

⁵ *Statutes*, ii. 425 (1468). This statute refers to Norfolk, Suffolk, and Essex. The contemporary statutory regulation was that a broadcloth should be 26 or 28 yds. long before it was shrunk, 24 yds. afterwards. *Ibid.* ii. 154 (1406), 403 (1464).

⁶ From the point of view of prices there may well have been as many as seven. Wool sold at an average of £5-£6 the sack and cloths were rated, when forfeited to the ulnager, at not much more than £2 apiece.

woollens between 1348 and 1368 would imply an increased home consumption of some 2,000 sacks. This figure is smaller than the number of sacks which disappeared from the annual shipments of the twenty years in question, but the unfavourable conditions of a time of war may have tended to restrict production.

The generalization just made, that the output of woollens increased little for more than ten years after 1367-9, is based upon an examination of the customs returns of the first three years of Richard II, Michaelmas 1377-Michaelmas 1380. In Appendix III is shown the average annual exportation, port by port, during the time in question. The total is 15,449 broad-cloths, a quantity smaller if anything than the average of 1366-8, since in the latter are wanting the Lynn and Yarmouth figures here included.¹ Exports of wool, too, were smaller than those of a decade before, the average of 21,627 sacks being well below the earlier one of 26,633.² Apparently the restlessness of the country, which had already found expression in the Good Parliament of 1376 and was to find further expression in the Peasants' Revolt, had some justification in the condition of sheep-growing, industry, and trade.

Without lingering on this cheerless scene we may pass at once to one which is in marked contrast. In the customs accounts for Michaelmas 1392-Michaelmas 1395 it is possible to discern how far trade revived after the misfortunes of Richard's early years; and the tale is told by the figures which are placed beside the earlier ones in Appendix III.³ It has been necessary to introduce certain conjectural estimates, since, for London and Southampton, only the money payments, without a statement of the number of cloths dutiable, are given. The latter could, with a knowledge of the rate, be easily obtained, were it not that alien and denizen payments are combined, although the rate differed for the two. What has been done is to ascertain the ratio between denizen payments and alien payments at the nearest possible date, divide the combined payments of 1392-5 according to this ratio, and compute, with a view to the differing rate, the approximate number of cloths exported by each group. This method disregards the small number of scarlets and cloths 'of half grain' (probably never more than fifty a year) which paid a higher rate, and it neglects the worsteds which always paid little; it also assumes that the ratio of denizen to alien

¹ The data are in Customs Roll 14. Figures for Ipswich are still wanting, the Lynn figure is for a single year, and the Exeter average is for two instead of for three years. The Yarmouth average is that of 1384-6.

² *Ibid.* Shipments by years were 28,288, 16,221, and 20,373 sacks respectively.

³ The data are in Customs Roll 14.

payments changed little over a series of years. The ratio in question in the nearest accounts which admit of its computation, those of 1377-81 for London and those of 1388-91 for Southampton, proves to be 1:2.9 for London and 1:2.4 for Southampton. In order not to exaggerate the number of exported broadcloths by under-estimating the aliens' share in the combined customs payment (the larger the aliens' share the fewer the cloths, since the rate for aliens was 33*d.*, and the rate for denizens 14*d.*), the ratio of 1:3 has been adopted for both ports. It is a conservative one, since the share of denizens even in the commerce of these two ports was steadily increasing.

The tale of the customs records thus amended is altogether surprising. The unprogressive average of 15,449 broadcloths exported has changed to one of 43,072,¹ a change more remarkable than the recovery after the Black Death. If we ask whether new administrative regulations may not have changed the basis of computation, we do indeed find one which demands attention. Tentatively in 1388 and definitely in November 1390, certain cloths called kerseys were subjected to customs duties and their exportation recorded. The customs returns show the collection first enforced from Michaelmas 1388 to January 1390, then suspended until November 1390, then again enforced until Michaelmas 1391, after which it was taken for granted, and no special mention made of it.² Behind these vacillations lay the commons' complaint and petition (in the parliament which met on 17 January 1390), answered by the king's promise to suspend collection until the next parliament, and to examine the question meanwhile.³ The roll of the next parliament, meeting 12 November 1390, records no royal decision, but the customs roll just quoted indicates that a decision was reached and was adverse to the petitioners. At the next parliament, begun on 3 November 1391, it is explicitly stated that 'toutz ceux qui vorront passer aucuns Draps, soient ils Kerseys ou autres, paient ent la Custume'.⁴ Hitherto cloths smaller than one-half a broadcloth, worsteds excepted, had escaped payment of an export tax.⁵ Kerseys, now rated at one-third of a broadcloth each, and presumably not at first made in considerable numbers, had enjoyed the exemption.⁶ Perhaps the

¹ The figures for Yarmouth are, as before, the average of 1384-6; those for Ipswich are the average of 1399-1401; those for Melcombe and Exeter are a two-year average.

² Customs Roll 14, account for London.

³ *Rot. Parl.* iii. 272.

⁴ *Ibid.* p. 295.

⁵ See p. 15, n. 2, above.

⁶ Kerseys, without doubt, got their name from the Suffolk village which the ulnager accounts show to have been the centre of what was by 1394 the second cloth-producing area of England (see p. 31, below). How much earlier these cloths were produced here is not clear. In 1356-8 the area produced for sale fewer than 700

privilege contributed to their popularity, although the market which they had found in Prussia by 1388 must have contributed more.¹ At any rate the exportation of them had come to be 15,000–18,000, equivalent to 5,000–6,000 broadcloths, and their appearance in the custom totals means some distension of these. Kerseys apart, however, the exportation of broadcloths more than doubled during fifteen years, and all ports shared in the advance. Fortunately, the showing of the customs returns can be tested by a series of ulnage accounts extending with interruptions over the four years, 1394–8.² They are the successors to the series of 1353–8, already quoted, and are likewise summarized in Appendix II.

These ulnage accounts are much more fragmentary than the earlier series. Seldom are they complete for more than two of the four years, and many of them extend over only about a year.³ The averages given in Appendix II are got by adding all cloths sold in a town or county during the time over which the accounts for the place extend, by dividing into this sum the cloths annually, whereas in 1394–8 the output had increased to 5,500 (Appendix II). Both totals would include kerseys, since cloths of more than 3 yds. long were not exempt from ulnage dues; but the ulnage accounts rarely mention kerseys, viewing them merely as fractions of whole cloths of assize. They do, however, tell us that three-fourths of all cloths sold in Suffolk in 1395 were 'panni stricti' or 'duodenae' (dozens), each equivalent to one-fourth a cloth of assize (Ulnage Accounts, bundle 342, roll 8). From a petition of 1394 we learn that a great part of the people of Norfolk, Suffolk, and Essex were then engaged in the manufacture of cloth of inferior quality, 'del longure d'une duszeine et de laeure d'une vergo de quatre quarters' (*Rot. Parl.*, iii. 320). The statute enacted in response to this petition seems to refer to these cloths as 'kerseys'. We may probably conclude that the narrow dozens of the Suffolk ulnage accounts were the kerseys of the statute and the customs, and that they were 12 yds. long by 1 yd. wide, a superficial content which would make them equivalent to between one-fourth and one-third of a cloth of assize (26 yds. by 1½ yds., see above, p. 15, n. 2). In a Southampton ulnage account of 1395, however, a kersey is equivalent to half a cloth of assize (bundle 344, roll 11); and later in 1464 its statutory size became 18 yds. by 1 yd. (*Statutes*, ii. 404). In the petition of 1394 just referred to, the East Anglian cloths are said to be often worth not more than 4s., and in the London customs account of Michaelmas, 12 Rich. II, 25 May *sq.*, 6,119 kerseys were valued at £1,505, or at only about 5s. each (Customs Roll 14). Since broadcloths were frequently worth 40s. apiece (Ulnage Accounts, e. g. bundle 340, roll 30), their value per square foot must have been about twice that of kerseys.

¹ From London alone there were exported between Michaelmas 1388 and 25 May following, 12,283 kerseys; from 25 May until 2 February 1390, 4,266; from 12 November 1390 to Michaelmas 1391, 8,466 (Customs Roll 14). The average must, therefore, have been about 10,000 kerseys annually. Of the 12,283 just mentioned, 3,721 were shipped by 'mercatores de Pruc' vocati Hanse', and 6,118½ by 'mercatores de Pruc' not enjoying Hanscatic privileges (i. e. paying 2s. 9d. instead of 12d. the cloth). Native merchants carried the remainder, but to what customers we do not learn.

² Exch., Queen's Rem., Accounts, Bunds. 338–46. Farming of the ulnage was forbidden in 1394, but again permitted in 1402 (*Statutes*, ii. 88, 140). Occasional accounts, dating from 1398 to 1402, survive.

³ There are accounts for three years in the case of Salisbury, Surrey, Sussex, Cambridgeshire, Hertfordshire, Leicestershire, and Northumberland; for two years, in the case of York and Bristol, Somerset, Essex, Northants, Huntingdonshire, Nottinghamshire, and Derbyshire; accounts from other towns or counties extend over about a year.

number of months in question, and by multiplying the monthly average by twelve.¹ There are no accounts whatever from Norfolk or the city of Norwich, and no estimates have been hazarded.² Nor are returns for these years forthcoming from Shropshire, Worcestershire, or London. For the two western counties, however, averages are available from the beginning of the reign of Henry IV, and for London from four and one-half years at the close of Edward III's reign and the beginning of Richard II's.³

The first service rendered by these accounts is to confirm the testimony of the customs returns of the three years which precede them. If it is true, as we now learn, that some 50,000 cloths of assize were offered for sale annually about 1395,⁴ it is easily comprehensible that upwards of 40,000 of them were exported. The old ratio of two to three as between exports and output has changed to one of four to five. Ten thousand cloths, however, remained now in the country where 5,000 remained in 1356-8. Hence both the domestic and the foreign market had expanded, the one in twofold, the other in fourfold measure. This is the remarkable phenomenon which the combined accounts substantiate. The last decade of Richard's reign was enjoying such industrial expansion as the country had never before known, the expansion of which Edward III may have dreamed.

The development, too, was recent. Before 1380 there had been stagnation for a decade; after 1380 there is evidence of a depression for three or four years, then of a slow and finally of a rapid advance. Perhaps the best way to determine the precise time of the expansion, so far as our records allow, is to follow year by year the customs payments upon broadcloths exported in the ports of London and Southampton.⁵ In London for the first two years of the reign they were £359 and £368. During the next five years they dropped to £300 or less annually,⁶ then rose again for four years to between £430 and £560.⁷ After Michaelmas 1388 (except for some ten months of 1390), kerseys paid customs, and the total London payment became for three years about £700 a year.⁸ After Michaelmas 1391 it advanced in successive years to £926, £1,480, £1,196, and £1,381. At Southampton, where shipments were always more irregular and

¹ Often for accuracy the weekly average has been got and multiplied by fifty-two.

² In 1465 the city and county produced each about 250 broadcloths annually. This number, or a slightly larger one, should be added to the total. Norwich was primarily occupied with the making of worsteds.

³ Since production was smaller at both times than in 1394-8, the use of these averages understates rather than overstates the total.

⁴ The total figure would be somewhat greater than this, if there were returns from Norfolk and more timely ones from London.

⁵ Customs Roll 14.

⁶ £236, £249, £301, £151, £273.

⁷ £487, £431, £560, £457.

⁸ Of which kerseys contributed some £200 annually.

where few kerseys intruded, payments exceeded £500 annually only once before 1390, and were often less than £500. In 1391, however, they rose to about £700, and the average for the next four years was nearly £1,000. Like the London figures they testify that the boom in the woollen trade began modestly about 1385, and expanded rapidly after 1391. When we recall that, after the treaty with the Hansards in 1388 had closed a decade of strife, English traders were given a highly favourable position in Prussia, it would seem that the Baltic trade at once acted as a powerful stimulus of the English woollen industry.¹

The part played by different regions in this industrial development is also revealed by the ulnage returns. The share of the south-west in the country's output was still 56 per cent., as it had been in 1356-8.² Precise localization of production at length becomes possible, since the accounts give more detail than before. Salisbury, it appears, had come to be, if it had not long been, the foremost woollen-making town in England. Its annual output of 5,628 vendible cloths of assize was nearly as great as that of all England fifty years before. Bristol followed at some distance, and again at an interval, York and Coventry. The advance in the production of the last town from the 220 woollens of 1356-8 to more than 3,000 is noteworthy. Other urban centres prominent in earlier days had become stagnant or worse. London probably made little advance, while Canterbury, Lincoln, and Gloucester fell behind.³

The feature of the industry which had become most noteworthy by 1394-8, however, was its growth in the country and in small towns. In three areas this had come into view. By far the most significant is the one which appears in the table under the heading Somerset. To this county is ascribed an average annual sale of woollens amounting to 12,376, or nearly one-fourth of the country's total production. The largest items in the list, ranging from 1,000 to 2,000 broadcloths, are attributed in order to Pensford, Frome, Wells, and Bath.⁴ From 200 to 800 broadcloths were also produced annually at Corscombe, Taunton, Bruton, Bridgewater, Beckington, Shepton, Mells, Badcombe, and Road respectively, while eight other towns or

¹ F. Schulz, *Die Hanse und England von Edwards III bis auf Heinrichs VIII Zeit* (Berlin, 1911), pp. 23-55.

² Substituting Devon for Gloucestershire in the reckoning. Devon's exportation was 1,401 cloths, Cornwall's 60 cloths.

³ The London figures are, of course, those of fifteen years earlier, but it is doubtful whether in the interim they had noticeably improved. In Edward IV's day they were practically the same. The Kentish quota was probably not largely composed of cloths made in Canterbury, as it had been fifty years before, since in 1477 Canterbury produced for sale only 89 woollens (Exch., Queen's Rem., Accounts, bundle 339, no. 20). Production in Lincoln declined by more than two-thirds during the last forty years of the fourteenth century.

⁴ *Ibid.* bundle 343, nos. 28 and 30.

villages¹ wove from 100 to 200 cloths each, ten others² from 25 to 100 each, and thirteen others from 5 to 25 each.³ This is a remarkable and an early development of non-urban industry, and an important illustration of the appearance of the so-called domestic system beside the craft system. For a second area in which non-urban industry was making way, the accounts are less detailed than are those from Somerset. They have to be supplemented in part from accounts of Edward IV's day, and the precise relative importance of different towns and villages under Richard II cannot be ascertained. The area in question was a rather small one, lying on both sides of the river Stour in Suffolk and Essex. Colchester, Bury St. Edmunds, and Ipswich were on its outskirts, and were not, with the exception of Colchester, industrially important. The heart of the region, from our point of view, was formed in Suffolk by Hadleigh, Lavenham, Waldingfield, Melford, and Sudbury, with neighbouring villages, and in Essex by Colchester, Dedham, Coggeshall, Maldon, Braintree, and Witham. Earlier in the century four of these towns had sent cloths to Ipswich for shipment abroad.⁴ One of the 'members' of Lavenham was Kersey, a name which does not appear in the ulnage records, but which has left an indelible stamp upon the nomenclature of English cloths. Kerseys, as we have seen, figured largely in the London shipments of 1392-5, and found a market in Prussia and adjacent regions. A third non-urban area, already asserting itself, lay in Berkshire. The accounts of 1395-8 give its annual product as 1,968 cloths, and indicate its boundaries. Steventon and East Hendred were its nuclei, while tentacles reached to Wantage, Welford, Bagnor, Benham, and Abingdon. Its output, too, consisted largely of kerseys, the name already accepted in the Berkshire accounts. Still another non-urban centre was appearing in Yorkshire, but as yet it produced only some 833 woollens annually.⁵

On a map, the woollen-producing areas of late fourteenth-century England would thus be five. The largest and most important would lie between Winchester and Bristol, extending

¹ Norton St. Philip, Nunney, Kilmersdon, Harptree, Langport, Wiveliscombe, Wellington, and Buckland in Devon.

² Paulton, Chewton Mendip, Axbridge, North Curry, Somerton, Chard, Martock, Yeovil, Milborne Port, and Ilchester.

³ The 1,400 woollens made in Devon outside of Exeter are similarly attributed to nine districts, each containing five or six hundreds. Barnstaple produced about 200 cloths, Bampton about 150, Torrington about 125; all other cloths were of country manufacture.

⁴ Domesday Book of Ipswich, in *Black Book of the Admiralty*, ed. Twiss, ii. 186, 196. The four were Coggeshall, Maldon, Colchester, and Sudbury. The cloths which paid port dues were called 'tomenneshete' and 'omanneshete', probably the *lecti duplices* and *lecti simplices* of the customs accounts. Cloths of this sort exported after 1347 were not many in number.

⁵ Mr. Heaton has described it and has traced its growth (*op. cit.*, pp. 68-84).

into Devon, with its busiest parts in the region of Salisbury and north-eastern Somerset ; the second would be the little community of villages on both sides of the Suffolk-Essex border ; the third, the city of York with a nascent industry in the West Riding ; the fourth, the enterprising town of Coventry ; and the fifth, a group of villages in Berkshire. One-third of the total output came from Salisbury, Bristol, York, and Coventry, and perhaps enough cloths were made in other large cities or towns to bring the urban production up to one-half of the total output. The other half, however, came from the non-urban areas which have been described. England's earliest great industry had within little more than a half-century burst the bounds of medieval town life. That much of this development took place within fifteen years of the revolt of 1381 is matter for reflection.

The sudden expansion of the woollen industry after 1389 must have caused a drain upon the supply of raw material, of which, on the average, 21,627 sacks were still exported in the early years of Richard's reign. The corresponding average for the years Michaelmas 1392–Michaelmas 1395 was 19,359 sacks.¹ The decline is not proportionate to the increase in the output of woollen cloths. Probably agriculture as well as industry thrived during these later years, and by increased production met a part of the growing demand. Yet it is clear that the annual exportation of wool had dropped below 20,000 sacks, and the average did not again rise above that figure. The half-century which had developed an industry with an output of 50,000 woollens yearly had diminished its wool shipments by some 15,000 sacks. To this extent England had become an industrial country before 1400.

One or two other aspects of the fourteenth-century export figures for woollens deserve attention. They show, first of all, that a change was taking place in the respective shares of denizen and alien merchants in the export trade. In the earliest customs reports native-merchants easily dominated it. In 1347–8 they carried 92 per cent. of all woollens and 79 per cent. of all worsteds shipped abroad ; in 1356–8 their share was still 74 per cent., although Hanseatic merchants exported 12 per cent. of the shipments and other aliens 14 per cent. By 1377–80, however, the respective percentages had shifted to 61, 13, and 26. Finally, during 1392–5, they became 54, 19, and 27 per cent. It thus appears that, so long as the trade was of small proportions, it was left to native merchants. To them is due the honour of having created a market abroad for English cloths. Only as the output of English woollens and the foreign demand for them expanded did Hansards and other aliens acquire at first a quarter and then a half of the trade.

¹ Customs Roll 14.

Another subject upon which the export figures of the last half of the fourteenth century throw light is the relative importance of the several ports. The dominance of London, Hull, Boston, and Southampton in the wool trade has already been noted and their respective shares in it have been indicated.¹ As regards cloths, however, the roles of these and other ports were more varied. During 1356-8, the first normal years of which we have record, Southampton, Exeter, and Bristol shipped 64 per cent. of all woollens exported, but they shipped no worsteds whatever. Practically all of the latter went from London and Yarmouth.² The metropolis exported at the time only 12 per cent. of the English woollens sold abroad, other east coast ports the remaining 24 per cent.³ This situation arose naturally from the devotion of the south-west to the manufacture of woollens and the persistence in East Anglia of the production of worsteds. Ten years later (1367-8), a change was apparent. The share of the south-west in woollen shipments (worsted is henceforth disregarded) had dropped to 50 per cent., that of London had increased to 20 per cent., and that of other east coast ports to 30 per cent. By 1377-80 these percentages had become 39, 21, and 40, and by 1392-5 had changed to 39, 32, and 29 per cent. It is evident that London had attracted to itself the cloth trade, first from the south-west and then from the east coast, until it was exporting one-third of all woollens shipped abroad, and was rising above provincial markets.

This is the last important fact which the customs and ulnage accounts of the fourteenth century reveal. If they have been correctly interpreted, they seem to show that the woollen industry of England was largely indigenous, stimulated perhaps in its development by Edward III's attitude toward foreign cloth-workers, but probably still more by his heavy taxation of exported wool. In consequence of both policies its exports, already not negligible in 1347, expanded remarkably in the decade of recovery which began in 1356. Undergoing a depression during the later part of Edward's reign, the industry again recovered, until in the last ten years of the century its output became apparently greater than that of certain periods of the next century. The final outburst of productivity was concurrent with and possibly a result of the marked migration of cloth-making from town to country, the sign of the coming domestic system and a break with medieval craft traditions. A decline in the exports of wool and the growth of London as a cloth market complete the economic changes for which the industrial development of the century is responsible.

H. L. GRAY.

¹ See above, pp. 15-16.

² A very small number from Boston.

³ The remaining 2 per cent. went from Sandwich and Chichester, ports which continued to share in the trade in woollens to the extent of 1 per cent.

APPENDIX I. EXPORTATIONS OF WOOLLENS, 1353-60.

	30 July 1353- Mich. 1354		Mich. 1354- Mich. 1355		Mich. 1355- Mich. 1356		Mich. 1356- Mich. 1357		Mich. 1357- Mich. 1358		Mich. 1358- Mich. 1359		Mich. 1359- Mich. 1360	
	Denizens.	Aliens.	Denizens.	Aliens.	Denizens.	Aliens.	Denizens.	Aliens.	Denizens.	Aliens.	Denizens.	Aliens.	Denizens.	Aliens.
Newcastle	—	—	—	—	—	—	—	—	12	3	9	31	19	—
Hull	62	101	24	56	294	61	299	143	140	134	131	260	218	229
Boston	189	84	104	27	79	22	298	461	439	561	529	462	473	549
Yarmouth	15	4	13	—	135	4	619	35	898	72	771	32	539	53
London	111	343	54	291	242	481	491	537	451	809	764	445	961	264
Sandwich	22	58	38	53	69	81	79	104	204	78	25	27	49	26
Chichester	—	15	—	40	33	—	39	16	95	11	55	—	109	—
Southampton	688	97	463	40	1,260	184	3,413	349	2,006	233	260	112	2,954	106
Exeter	—	—	471	31	840	30	—	—	868	14	—	—	1,486	12
Bristol	1,492	19	1,067	9	1,609	24	2,628	—	2,800	129	2,517	—	3,476	78
Total, broadcloths	2,579	721	2,234	547	4,561	887	7,866	1,645	7,913	2,104	5,061	1,369	10,284	1,317
Total, worsted	6,786	3,430	1,341	6,408	4,236	1,368	9,656	2,292	23,883	1,718	20,035	1,200	25,753	3,488

APPENDIX II. WOOLLENS PRODUCED FOR SALE DURING THE SECOND HALF OF THE FOURTEENTH CENTURY

	1 December 1353-Mich. 1354 (ten months).	Mich. 1354- Mich. 1355.	Mich. 1355- Mich. 1356.	Mich. 1356- Mich. 1358 (average).	1394-8 (average).
North-eastern area :					
Newcastle	69	80	84	36	121
York (county)	103	551	220	456	833
York (city)	225	338	408	390	3,462
Lincolnshire	773	830	586	1,242	545
East Anglian area :					
Cambridgeshire and Hunting- donshire	8	40	38	56	186
Norfolk (Norwich)	261	[162]	178	211	—
Suffolk	312	282	564	576	2,797
Essex and Hertfordshire	73	87	85	102	2,796
South-eastern area :					
London	638+	859+	1,257	1,551	[1,548]
Kent	1,253	1,216	1,037	1,034	1,348
Surrey	104	104	241	142	} 283
Sussex	64	36	168	143	
South-western area :					
Hampshire and Isle of Wight	2,131	1,867	3,005	4,412	2,333
Wiltshire	—	254	181	181	7,292
Dorset	—	—	} 832	1,305	460
Somerset	1,211	445		1,305	12,376
Bristol	2,118	2,092	1,665	2,295	4,063
Devon and Cornwall	59	60	84	114	1,461
Western area :					
Gloucestershire	860	534	191	510	363
Worcestershire	13	35	60	60	[182]
Herefordshire	157	141	131	144	160
Shropshire	123	128	84	148	[510]
Midland area :					
Bedfordshire and Bucking- hamshire	7	8	8	18	—
Berkshire and Oxfordshire	207	117	252	252	2,128
Northants and Rutlandshire	189	148	123	137	196
Warwickshire	—	} 220	120	82	3,242
Leicestershire	—		—	—	113
Staffordshire	15	9	8	—	140
Nottinghamshire and Derby- shire	12	12	12	12	370
Westmorland	8	10	—	1	—
Total	10,993	10,665	11,622	15,610	49,308

APPENDIX III. AVERAGE ANNUAL EXPORTATION OF WOOLLENS DURING
THE SECOND HALF OF THE FOURTEENTH CENTURY

<i>Ports.</i>	<i>Mich. 1366-Mich. 1368.</i>			<i>Mich. 1377-Mich. 1380.</i>			<i>Mich. 1392-Mich. 1395.</i>		
	<i>Denizens.</i>	<i>Hansards.</i>	<i>Other aliens.</i>	<i>Denizens.</i>	<i>Hansards.</i>	<i>Other aliens.</i>	<i>Denizens.</i>	<i>Hansards.</i>	<i>Other aliens.</i>
Newcastle	—	—	—	22	—	17	359	31	197
Hull	1,165	111	155	1,159	89	155	3,379	326	48
Boston	1,131	1,544	54	514	1,033	491	362	2,200	28
Lynn	—	—	—	862	—	445	2,336	257	9
Yarmouth	—	—	—	430	636	40	430	636	40
Ipswich	—	—	—	—	—	—	803	292	176
London	1,240	35	1,678	1,355	270	1,626	4,197	4,373	5,353
Sandwich	39	—	10	131	—	66	334	—	64
Chichester	47	—	13	1	—	—	11	—	18
Southampton	478	—	62	860	—	605	4,399	12	5,596
Melcombe or Poole	—	—	—	164	—	11	1,328	—	82
Exeter	1,055	—	13	843	—	2	312	—	3
Plymouth	—	—	—	—	—	—	—	—	—
Bridgewater	—	—	—	—	—	—	—	—	—
Bristol	5,656	—	107	3,112	—	510	4,924	—	157
Total	10,811	1,690	2,092	9,453	2,028	3,968	23,174	8,127	11,771
Total, all merchants	14,593			15,449			43,072		

Peter Wentworth

PART I

FEW English parliamentarians before the age of the Stuarts have left behind them any substantial memory of their parliamentary achievements, and of these few Peter Wentworth is probably the first, certainly the most attractive. So slight is our acquaintance with his forerunners, that were we to attempt, even in a single article, to fashion an earlier parliamentary biography than his, the person and his works would inevitably be lost in the historical setting that we should have to provide. Wentworth thus owes some of his fame as a pioneer to the accident of historical knowledge; but it would be an error to suppose that our dim perception of earlier parliamentarians and our growing familiarity with later can be explained by time's ravages amongst documents. They are explained by a notable feature in the evolution of parliament. Before the accession of Elizabeth the corporate spirit of the commons was but dawning, prolonged and concerted opposition to the Crown was hardly known, and the story of parliament therefore lacked that significance and fascination for contemporaries that might have immortalized it in abundant historical sources. Early in Elizabeth's reign severe strife with the Crown began, and enlivened debate gave incentive to the curious; parliamentary diaries appeared, speeches were written and preserved, and public interest broadened to sweep parliament within it. But the fitful keeping of diaries and writing of speeches had to be transformed into habit, and parliament to be converted by public curiosity into a stage whose drama was worth retelling, before the flood of historical sources under the Stuarts became such that historians might plan a parliamentary biography upon the scale of a book. Of the Elizabethan age it is enough to say that two articles will exhaust our knowledge of the most courageous, and perhaps the most prophetic, parliamentarian of his time.

Of Wentworth's career we possess two accounts, apart from the comments in the histories of the period. The one is by W. L. Rutton in his *Three Branches of the Family of Wentworth*, the other by Sir Charles Wentworth Dilke in the *Dictionary of National Biography*. Neither, however, is much more than a sketch, and no apology need be offered for a third biography, especially

as the new documents which have come to light, more in number than those already known, amend and amplify the accepted story at its most important points. Little need be said here of genealogical facts: they are Rutton's province and are fully dealt with by him. Wentworth was a gentleman 'of a good house and of good breeding'.¹ His grandfather, the founder of a new line of Wentworths in Essex, was a younger son of the Nettlestead Wentworths, the first branch of the family to settle out of Yorkshire; whilst his father, Sir Nicholas, who was chief porter of Calais under Henry VIII and Edward VI, acquired as his principal estate the manor of Lillingstone Lovell, then in Oxfordshire, and held property in addition in Essex, Oxfordshire, Northamptonshire, Buckinghamshire, and London. As the eldest son, Peter succeeded to the lands at Lillingstone. He married twice, his first wife being a daughter of Sir Ralph Lane of Horton, Northamptonshire, first cousin of Queen Katharine Parr; his second, a sister of Sir Francis Walsingham. Sir Walter Mildmay also married a sister of Walsingham's, so that Wentworth was brought into relationship with another of Elizabeth's councillors; and his connexion with the court was further strengthened by the tragically short marriage of Burghley's daughter with the eldest son of Lord Wentworth of Nettlestead. In addition, he may have been related to the St. Johns of Bletsoe,² whilst his parliamentary friendship with Walter Strickland of Yorkshire was cemented by the marriage of his daughter to Strickland's son.³

Of Wentworth's early life very little is known. He was born about 1524,⁴ and, according to the fashion of his day, rounded off his education by a legal training, entering Lincoln's Inn in 1542.⁵ He did not begin his parliamentary career until 1571, when he was forty-seven, and he was probably prompted to it, not so much by a desire for public life and experience, as by an urgent sense of duty. 'I was first stirred vpp to deale' in the succession question, he wrote in 1593, 'xxxi yeares past, by godes good motion: then, by sundry graue and wise menn vnknowne vnto mee; and allso by lamentable messages sent vnto mee, by men likewise vnknowne vnto mee.'⁶ This was

¹ Sir John Harington, *A Tract on the Succession to the Crown (1602)*, ed. by C. R. Markham (1880).

² Oliver, brother of Lord St. John, referred to Wentworth as his cousin: at least so Humphrey Winch states in his confession (Brit. Mus., Harleian MS. 6846, fo. 83 b).

³ *Dict. of Nat. Biog.* (orig. ed.), lv. 54.

⁴ On 18 September 1595 Wentworth wrote that he was over seventy-one years old (Brit. Mus. Add. MS. 24664, fo. 50 b).

⁵ *Records of Lincoln's Inn. Admissions*, i. 53. I am assuming that his is the name that appears upon the register. The date agrees with his age, and his children and grandchildren went to the same inn.

⁶ Brit. Mus. Add. MS. 24664, fo. 44 b.

probably at the time of parliament's great campaign in 1562-3 and 1566. Of its frustrated hopes he must have heard from his brother Paul, and hearing, perhaps was persuaded to strengthen the puritan ranks in parliament by seeking election to the next parliament, that of 1571. He sat for the borough of Barnstaple, and as we do not know that he owned property in the west country, he probably owed his election there, and for the borough of Tregony later, to the patronage of puritan friends.

It was an eventful session in which he first sat. In the previous parliament of 1566 the attention of the commons had been so centred upon the question of the succession, that only towards the close of the session had they been able to turn to that other great cause, which, with the succession, was the object of their most intimate concern, the reform of the church. It had then been too late. A bill to give statutory authority to the articles of 1562 had indeed reached a first reading in the lords, but it had lapsed because of the queen's intervention; and five other bills had got no further than a first reading in the commons when the parliament was dissolved.¹ Already, however, parliamentary policy was achieving a continuity that defied the accident of dissolutions and long recesses. The succession agitation of 1562-3 had been revived in 1566.² The campaign for ecclesiastical reform was to be reopened in 1571.

No sooner was the parliament in session than Walter Strickland caught up the threads that had been dropped in 1566. He secured the appointment of a committee, the bills of the last session were revived, and to them a new bill was added.³ Strickland was a zealous but intemperate man, who took no thought for the Crown's rights; and he would have proceeded with the bills, had the house not shown greater tact and withheld them from a formal reading until it had consulted the bishops.⁴ The bishops do not appear to have been particularly obstructive. One bill, it is true, that for pensions out of benefices, must have succumbed immediately to their opposition, if indeed it had been revived in this session; but otherwise only one bill seems to have aroused controversy. That was the bill concerning the articles; and Wentworth's first known speech was made when he and other members were sent to discuss it with the archbishop of Canterbury.⁵ The commons had struck out certain of the articles, perhaps only retaining those which concerned 'the confession of the true Christian faith and the doctrine of the sacraments':⁶

¹ *Spanish Cal., Eliz.*, i. 605-6; *Commons' Journals*, i. 79.

² Cf. *ante*, xxxvi. 502-3.

³ *Commons' Journals*, i. 83; D'Ewes's *Journals*, pp. 156-7, 184-5.

⁴ *Commons' Journals*, i. 83.

⁵ *Ibid.* p. 86 a.

⁶ See the act 13 Eliz., cap. xii, *Statutes of the Realm*, iv. i. 546.

certainly they had deleted articles 35 and 36 on the homilies and on the consecration of bishops and ministers. Their action surprised the archbishop, but his surprise was greater when Wentworth explained that they had had no time to see how the missing articles agreed with the word of God. 'What, said he, surely you mistook the matter, you will refer your selves wholly to us therein? No, by the Faith I bear to God,' said Wentworth, 'we will pass nothing before we understand what it is; for that were but to make you Popes; make you Popes who list, . . . we will make you none.'¹ The bill was proceeded with, passed by the commons in two days, and sent to the lords. There it was read once, when the queen intervened.² Although statutory authority had been given to the six articles of Henry VIII's reign, Elizabeth was loath to encourage the puritans in their belief that parliament ought to legislate for the church. The bill was not a government measure, even though the bishops were privy to it; and if it emasculated the articles her interference was doubly justified. She was tactful, however, and promised to publish and execute the articles by virtue of her royal supremacy; only, parliament was not to deal with them.

Strickland's zeal still remained unsatisfied. He was not content with a confession of faith. He wanted the prayer book purged of needless ceremonial as well, and introduced a bill for this purpose. He had neither obtained the queen's consent nor proposed to obtain it; and as the lord keeper had explicitly charged the commons at the opening of the parliament to meddle with no matters of state save such as should be propounded unto them, his action was a serious infringement of the royal prerogative for which there could be no excuse. Once more, however, the commons tempered his rash designs by their tact, and after a first reading held up the bill until they had petitioned the queen for her licence to proceed.³ But their action could not clear Strickland of blame. During the Easter recess he was summoned before the privy council, confined to his house, and prevented from returning to the parliament when it reassembled. There was nothing unconstitutional in what the government had done, but puritan members were not to be stayed by any such argument. They regarded Strickland's restraint as an affront to their privileges, and when feelings were running high over a speech of Wentworth's upon another incident, a member called attention to Strickland's absence, and a debate followed, remarkable for its daring, and reminiscent of the spirited speeches made

¹ D'Ewes, pp. 239-40.

² The bill was entitled, 'for Conservation of Order and Uniformity in the Church' (*Commons' Journals*, i. 86-7; *Lords' Journals*, i. 678).

³ D'Ewes, pp. 141-2, 157 a, 166-7; *Commons' Journals*, i. 84 b.

in 1566. Passions were so vehement that in prudence the council sent Strickland back to the house the next day : whereby a victory was won which must have confirmed Wentworth's exalted notions of parliamentary privilege.¹

But open interference with personal liberty, a crude device, and one apt to defeat its object by exciting resentment in the house, was not the sole restraint upon freedom of speech and action. Intimidation and rumours of the queen's displeasure were subtler and surer in their effects, especially if offenders were lawyers of promise, dependent upon the favour of the court for their careers. It was against these devices that Wentworth had reason to fulminate in this parliament, as he had later in 1575/6. The occasion arose out of the subsidy bill which on 7 April was proposed by a private member, who suggested that the house should anticipate the motion customarily made by a privy councillor. His speech seemed a rather artless attempt to curry favour, and was resented. It was an unpropitious opening for the government, and when the debate developed, Robert Bell, a prominent lawyer,² started an avalanche by linking the redress of grievances with supply and inveighing against licences and the abuse of promoters. Not only was he responsible for a debate which was unpleasant for the government and resulted in the appointment of a committee for griefs and petitions along with that for supply, but his complaint indirectly touched the Crown, and the cry of prerogative might therefore be raised. Said Wentworth, his speech was so disliked by some of the council that he was sent for and so hardly dealt with that he came into the house with an amazed countenance, which daunted all in such sort that for ten, twelve, or sixteen days not one in the house durst deal in any matter of importance. And in simple matters they spent more words and time in their preamble, requiring that they might not be mistaken, than in the matter they spake unto. So that this rumour grew in the house : 'Sirs, you may not speak against Licences, the Queens Majesty will be angry, the Councel will be . . . angry.'

The intimidation of Bell was a warning to the commons, and was followed by a command from the queen 'to spend little time in Motions, and to avoid long Speeches'. Moreover, on the day on which parliament rose for the Easter recess, Sir Humphrey Gilbert prompted the revival of Bell's motion with the object of attacking it as a violation of the royal prerogative. His speech was disliked, but the adjournment stopped members from answering it. Against Wentworth's resentment, however, time

¹ *Trans. Devon. Assoc.* (1879), xi. 479 ; D'Ewes, pp. 175-6.

² Bell was Speaker in 1572 and 1575/6, and chief baron of the exchequer later. Cf. D'Ewes, pp. 205, 277.

did not run. He nursed his wrath during the recess, and when the house met again retorted upon Gilbert. He likened him to the chameleon which could change itself into all colours save white: even so could he change himself to all fashions but honesty. He denounced his speech as tending 'to no other end than to inculcate fear into those which should be free', and 'requested care for the credit of the House, and for the maintenance of free Speech'. Bell's speech, he said, had been misreported to the queen, and he would reprove the guilty person in the words of David: 'Thou O Lord shalt destroy Lyers.' The Speaker tried to calm the feelings of the house, and poured the oil of royal flattery upon them; but the only result of his intervention was that the storm passed into the debate upon Strickland's restraint.¹ At length the session closed, and the lord keeper conveyed the queen's thanks to her parliament. They were tendered unalloyed to the lords, but for the commons they were mixed with the chastening of those few who 'have shewed themselves audacious, arrogant and presumptuous, calling her Majesties Grants and Prerogatives . . . in question, contrary to their Duty and place that they be called unto'.² It was a troublesome house and it was dissolved.

The next parliament met on 8 May 1572. Wentworth was returned for Tregony and his brother Paul, who had not sat in the last parliament, for another Cornish borough, Liskeard.³ It was the Ridolfi plot that caused the early summons of a new parliament, and the independence of the house of commons, which was nourished by opposition to the Crown, drew strength from the vigorous pressure which all agreed to exert upon Elizabeth, in the hope of inducing her to execute Norfolk and either to attain Mary or at least to deprive her of her right to the succession. Unfortunately we are no longer served by the anonymous diarist whose delightful reports give an accidental prominence to the events of the previous session: and it has hitherto been supposed that Wentworth played no very noteworthy part in this, his second parliament. It was known only that he was a member of the grand committee for Mary's cause.⁴ However, when the manuscripts of Mr. Ralph Bankes of Kingston Lacy were calendared for the Historical Manuscripts Commission, a speech of Wentworth's was discovered. Unfortunately only the description, which is in Wentworth's words, was quoted. This I repeat here:

Speech uttered by me the Weddensdaye, Thursdaye, and Saterdaye in the Whitson Weeke, and in the 14th yeaere the Queene's Maty's raygne,

¹ *Commons' Journals*, i. 83; D'Ewes, pp. 158-9, 167-8, 175, 242; *Trans. Devon. Assoc.*, xi. 479.

² D'Ewes, p. 151.

³ *Official Return*, part i, p. 408.

⁴ *Commons' Journals*, i. 95.

1572, upon a message sente by her Ma^{tie} in the parliament house, whereupon two of the house made a motion that the speaker and certen of the house shoulde goe to her Ma^{tie} and give her thankes in the behalf of the whole House for the good opinions conceaved of us, the which for my part I did not think her Ma^{tie} had deserved, soe that my speech was to staye thankes, and to other ends, as shall appear hereafter when the effect of her Ma^{tie}'s message shall be declared. The speech uttered on the Wednesday.¹

The days referred to were 28, 29, and 31 May. Already the lords and commons had agreed to proceed against Mary in the highest degree of treason, touching her in life, in title, and in dignity ; and they had persisted in their decision even after a message had come from the queen stating her preference for delaying the attainder, and for proceeding immediately only against her title to the succession. As a consequence the committees of both houses had been summoned to the court on the morning of Wednesday, 28 May, and there Elizabeth had repeated her wishes.² Perhaps in her isolation she had resorted to flattery, a weapon she wielded with much skill, and the report of the committee had so charmed two members that they had made the motion which drew from Wentworth his speech. It is a cause of great regret to me that I have not succeeded in seeing this manuscript. But that Wentworth did not mince his words is clear from the meagre quotation that I have given and from a reference to a speech of his this session which he made when a committee of the commons was examining him in 1575/6. 'Did I not', said he, publish Mary 'openly in the last Parliament to be the most notorious whore in all the world and wherefore should I then be afraid to call her soe nowe againe?'³ Parliament's campaign against Mary failed. Even the bill against her title was denied the royal assent. Elizabeth tried to sweeten the bitterness of her decision by asking her subjects to construe *la royne s'advisera* literally ; but to allow her to be advised, as they well knew, was to give her leave to forget altogether.⁴

Adjournment instead of dissolution was a reward that might follow the good behaviour of the commons ; and as the queen hoped by graciousness to hold the affections which her championship of Mary threatened to estrange—for to the people, as Sir John Hayward remarked, 'no musicke is soe sweete as the affability of ther Prince'⁵—the parliament of 1572 was granted a new lease of life and met again on 8 February 1575/6. Wentworth

¹ *Hist. MSS. Comm. Rep.*, viii. 212 b.

² *Commons' Journals*, i. 95 f.

³ Inner Temple, Petyt MSS. 538, vol. xvii, fo. 254. I am indebted to the Benchers of the Inner Temple for permission to inspect and to quote from this manuscript.

⁴ La Mothe Fénelon, *Correspondance Diplomatique*, v. 42 ; Digges, *The Compleat Ambassador* (1655), p. 219.

⁵ Hayward, *Annals of Elizabeth*, ed. Bruce (Camden Soc.), p. 18.

had now sat through two sessions: he had seen Robert Bell coerced for talking of abuses in high places, and members intimidated by the mere rumour of the queen's displeasure; he had watched members sit at a division¹ 'in an evil matter against which they had most earnestly spoken', and had found 'that it was a common Policy . . . to mark the best sort'—privy councillors and courtiers—'and either to sit or arise with them';² he had seen Strickland confined to his house, and the queen's inhibition placed upon the unauthorized introduction of bills concerning religion, both in 1571 and 1572; and he had noted in the last session the impotence of parliament to force upon the queen a decision which all thought to be essential for the safety of the realm. Upon this experience he brooded during the interval at home, and taking as his text the words of Elihu,³ 'Behold, I am as the new Wine which hath no vent and bursteth the new Vessels in sunder, therefore I will speak that I may have a vent, . . . I will regard no manner of Person, no man will I spare,' he prepared a remarkable indictment of queen, council, and parliament, to be spoken when next the house met. Twenty times and more as he walked in his grounds, his own fearful conceit warned him that the speech would surely lead him into prison; but where personal safety was to be won only, as he thought, at the expense of danger to queen and country, his conscience was ever clamant enough to outery his fears.

One bill had been read in the new session when he rose and astounded the house. He began, as he was to begin other speeches of his, by expounding the commodities that grow to the prince and whole state by free speech, 'the only Salve to heal all the Sores of this Common-Wealth'; and, by claiming for parliament the right to remedy all ills and to avert all perils, to advance God's honour and to offer means for the profit of the state, he asserted its right to freedom of speech and conscience. Even if the envious should offer anything hurtful in parliament, no incommmodity, nay much good, would grow thereby, 'for by the darkness of the Night the brightness of the Sun sheweth more excellent and clear', and a wicked purpose may the easier be prevented when it is known. Free speech, he argued, was granted to parliament by a special law, 'as that without the which the Prince and State cannot be preserved or maintained', and therefore was the queen subject to it, for though she had no peer or equal, yet she was subject to the law. As his speech was born of his experience in the two last sessions, so was it illustrated by it. Rumours and messages, of which the Devil was the first

¹ i. e. vote against a motion. In a division those in favour of a motion, as innovators, went out of the house: their opponents remained seated.

² D'Ewes, pp. 240-1.

³ Job xxxii. 19 f.

author, he would have buried in Hell. Hate all messengers and tale-carriers, was his cry ; yea, hate them as venomous and poison to the commonwealth : spare none, for the higher place he hath the more harm he may do. Then, like a father over his child, he took the queen to task. It was a dangerous thing in a prince to oppose herself against her nobility and people. No doubt but that some of her council had dealt plainly and faithfully with her for her refusal of the bill against Mary in the last parliament. Let her know such for approved subjects, and those who had supported her refusal, let her know them for traitors and underminers of her life. He opened his criticism of the queen with the words, ' none is without fault, no not our Noble Queen ', and as he uttered them he paused at the amazement on the countenances of his hearers. ' Then ', said he to the committee which examined him upon the speech, ' I was afraid with you for Company and fear bad me to put out those words that followed, for your Countenances did assure me that not one of you would stay me of my Journey ; yet the consideration of a good Conscience and of a faithful Subject did make me bold to utter it : . . and I praise God for it, and if it were to do again I would with the same mind speak it again.' ¹

How much further than those unpardonable words he got, we do not know ; but the house stopped him ' out of a reverend regard of her Majesty's Honour ' before he had completed his speech, and having sequestered him, committed him to the serjeant's ward and appointed a committee to examine him ' for the extenuating of his fault '. The report of the examination portrays Wentworth's character admirably. It is of course his own version of what was said, but there is no reason to doubt its substantial accuracy, even though one may suspect that the dialogue proceeds too rapidly in his favour. The committee were evidently anxious to extenuate his fault as they were charged to do. But when they wished to take cognizance only of what had been spoken, characteristically he insisted upon the whole speech being shown to the queen. When they endeavoured to draw an apology from him which would mitigate his offence, he obstinately persisted in justifying himself. ' Mr. Wentworth ', said Seckford, ' will never acknowledge himself to make a fault, nor say that he is sorry for anything that he doth speak.' At the opening of the examination Wentworth seized upon the presence of privy councillors on the committee as an excuse for reasserting his theories of privilege.

If your Honours ask me as Councillors to her Majesty [he said in reply to a question] you shall pardon me ; I will make you no Answer : I will do no such injury to the place from whence I came ; for I am now no private

¹ D'Ewes, pp. 236-43 ; *Commons' Journals*, i. 104 ; *Spanish Cal., Eliz.*, ii. 524.

Person, I am a publick, and a Councillor to the whole State in that place where it is lawful for me to speak my mind freely, and not for you as Councillors to call me to account for anything that I do speak in the House. . . . But if you ask me as Committees from the House, I will make you the best Answer I can.

And again, later, he was unduly sensitive. 'If you offer me an Oath of your Authorities, I will refuse it, because I will do nothing to infringe the Liberties of the House.' One of his replies when two or three precedents were quoted to justify the queen's messages to the house is thoroughly worthy of the Stuart period. 'Sirs,' said he, 'you ought to alledge good Precedents to comfort and embolden men in good doing, and not¹ evil Precedents to discourage and terrifie men to do evil.' There is a version of the examination in the Petyt manuscripts at the Inner Temple which contains a passage not in that made familiar by D'Ewes. According to this the committee remarked, 'You called the Scottish Queen Isabelle. What meant you by that? Did I not', answered Wentworth, 'publish her openly in the last Parliament to be the most notorious whore in all the world and wherefore should I then be afraid to call her soe nowe againe? She is a Queen', he was told, 'you ought to speake reverently of her. Let him take her parte that list,' retorted he, 'I will speake the truth boldly.'²

The committee made its report to the house, and on the motion of the treasurer Wentworth was committed to the Tower. There he remained for just over a month, when the queen intervened and the house released him after he had made his submission and craved her pardon. Mildmay seized the occasion to preach a homily upon the queen's good and clement nature, her respect for the house, and its duty towards her. He acknowledged their right to liberty of speech, but drew a distinction between liberty and licence; pertinence, modesty, reverence, and discretion in speech marking the one as the opposite qualities marked the other. Elizabeth's act was gracious, and she deserved the credit that Mildmay took care to claim; but the session was then two days from its close, and it is doubtful if she appreciably lessened Wentworth's confinement. The government must have rejoiced that such a nuisance had during a whole session been kept suppressed.³

¹ This word is omitted in D'Ewes, p. 242, clearly by error. It occurs in the Petyt MSS. 538, vol. xvii, fo. 253 b.

² Petyt MSS. 538, vol. xvii, fo. 254. In Brit. Mus., Harleian MS. 161, fo. 30, which is the manuscript of Wentworth's examination that D'Ewes owned, there are fragments of these passages about Mary. So there are in Harleian MS. 1877, fo. 29 b. It is hardly likely that the parent manuscript of these two was difficult to read at one point only, and therefore it looks as though the passages were censored. They are senseless in the mutilated form and so were omitted by D'Ewes.

³ *Commons' Journals*, i. 104, 114; D'Ewes, pp. 258-60.

In the interval before the next parliament Wentworth was again in trouble. The privy council was informed by the bishop of Peterborough that there was great resort of people out of their own parish to Wentworth's house at Lillingstone Lovell, there to receive the communion. Accordingly in May 1579 he was summoned before the council, and at the same time the bishop and other high commissioners were ordered to go to Northampton and inquire into the disorders. Their report is entered in the council register. Divers of the townspeople, they discovered, refusing to conform in religion, repaired to Lillingstone, and there received the sacrament after another sort.¹ Unfortunately our information goes no further, and we do not know how the council treated Wentworth. The incident is interesting as an isolated illustration of his prominence among the puritans of his district: he was, said Sir John Harington,² 'a man of great accompt with all of that profession'.

On 16 January 1580/1 the old parliament met for its third and last session. When in its early days Paul Wentworth proposed the ordering of a public fast and preaching, it looked as though there was to be another stormy session. The motion was carried by 115 to 100 after a debate in which official opinion was divided; and the preaching was arranged to be in the Temple church. Once more the religious zeal of the puritans had encroached upon the queen's ecclesiastical powers, and she met the incursion with a message that blended wrath with clemency and laid the blame for their rashness chiefly upon her own lenity to Paul's brother in the previous session. The commons submitted, and when religious grievances reappeared this session the queen's ruling that they should act through the bishops was faithfully complied with, both the speaker and the house showing great anxiety to avoid offence.³ The session continued tranquilly, and, unless our authorities deceive us, Peter Wentworth held his peace. His brother sat in no more parliaments, and he himself, for what reason we do not know, was not a member in the next parliament of 1584/5.

The Babington plot necessitated the calling of a new parliament in October 1586, and Wentworth was then elected for the city of Northampton, a constituency where his own influence was strong.⁴ The autumn meeting was an extraordinary one. Normal business, if not entirely set aside as the government would have wished, was completely subordinated to the task of pressing remorselessly for the death of Mary; and not until after the Christmas recess, by which time Mary had been executed, was

¹ *Dasent, Acts of the Privy Council*, xi. 132, 133, 218, 219.

² *Op. cit.* pp. 6-7.

³ *Commons' Journals*, i. 118 f.

⁴ *Official Return*, part i, p. 419.

it possible to renew old controversies. Then, however, a new campaign for the puritan reformation of the church was opened by Anthony Cope,¹ a neighbour of Wentworth's and member for Banbury. He offered a bill and a book to the house which aimed at a drastic reconstruction of the church upon a presbyterian basis; and although the speaker reminded members of the queen's former inhibitions, they persisted in reading them. The cue of the official party was to play for time. Therefore, before the decision could be put into effect, Dalton interfered to oppose it, drawing Lewknor, Hurlston, and Bainbrigg in its support; the morning was talked away, and the queen was given her chance to act. According to D'Ewes, whose authority is the clerk's rough draft of the journal, Elizabeth not only sent a message to the speaker on 27 February, the day of the debate, but she summoned him before her on the following day, and in consequence the house did not sit.² On the other hand, an anonymous member's diary³ reports proceedings on 28 February and does not suggest that the speaker actually saw the queen. According to this account, which I think the more reliable, the speaker announced on that day that he had sent the bill and book to Elizabeth, and at once a debate followed in which Dounlee, Topcliffe, Bainbrigg, Hastings, Aldred, and Alforth all spoke on church abuses. Hastings's speech was in some respects a prelude to the action which Wentworth took on the following day. He had been at strife with himself, he said, whether to speak or to hold his peace; but considering his duty to God, loyalty to the queen, and love to his country he could not be silent, but in a place of free speech must be willing and ready to deliver his conscience. Whatever the cost, they must not turn God out of doors.⁴

By 1 March, then, an attempt had once more been made to reform the church, and had failed because the queen would not tolerate it. Her interference was in Wentworth's eyes a derogation from parliament's rights, and with the refractory spirit manifest in the house to encourage him, he determined to strike at the root of all their troubles and to obtain from the commons rulings on their privileges. That is to say, the commons were not to leave it to the queen to define freedom of speech, but were to confront the interpretation put upon it by the lord keeper and enforced by the queen's rulings, with a decision of their own. It was

¹ Of Hanwell, near Banbury. Cf. *Dict. of Nat. Biog.*; *Official Return*, part i, p. 419.

² D'Ewes, p. 410.

³ Harleian MS. 7188, fos. 88 f. This and other new parliamentary journals and speeches of the reign I hope ultimately to publish as a supplement to D'Ewes's *Journals*.

⁴ *Ibid.* fos. 93 b-94. For the constituencies which these members represent see the *Official Return*.

a fundamental move, in extension of the tactics adopted by his brother in 1566,¹ and had the temper and courage of Elizabethan parliamentarians equalled Wentworth's, might have precipitated the constitutional crisis that came under the Stuarts. He proposed to propound a series of questions, the replies to which would stand as rulings of the house. The questions are well known: at least the version printed in D'Ewes's *Journals* is.² A second version, however, exists amongst the Burghley papers in the Lansdowne collection, containing ten questions in place of the usual eight. They are as follows: ³

1. First, whether the Prince and state can be mainteyned without this court of parliament.
2. Item, whether there be any counsell that cann make or abrogate lawes? but only this court of parliament.
3. Item, whether free speache and free doinges, or dealinges be not graunted to euerye on of the parliament howse by lawe.
4. Item, whether that greate honor to god and those greate benefits may be doon vnto the prince and state without free speache and doyngs in this place, that may be donn with them.
5. Item, whether it be not an Iniurye to the whole state, and against the law, that the prince or priuie counsell should send for any membre of this howse in the parliament tyme, or afre the end of the parliament, and to checke, blame or punishe them for any speache used in this place, except it be for trayterous wourds.
6. Item, whether this be a place to receyue supplications of the greues and sores of the common wealth, and ether that we should be humble suters vnto the Quene her maiestye for releffe, or els to releue them here as the case requireth.
7. Item, whether yt be not against the orders and liberties of this howse to receyue messages ether of commaunding or prohibiting, and whether the messenger be not to be reputed as an enemye to god, the prince and state.
8. Item, whether it be not against the orders and liberties of this howse to make any thinge known vnto the prince that is here in hand to the hurte of the howse, and whether the tale carriar be not to be punisshed by the howse and reputed as an enymye vnto god, the prince and state.
9. Item, whether we doo shewe our selues faithfull vnto god, the prince and state in receyuing suche messages, and in takinge such tales in good parte, without punisshing of the messenger and tale carriar by the order and discretion of this howse.
10. Item, whether he or they may be not to be esteemed reputed and used as enemyes vnto god, the prince and state that should doo any thing to infringe the liberties of this honorable counsell.

Both texts are no doubt genuine. They are perhaps an earlier

¹ Cf. *ante*, xxxvi. 506.

² D'Ewes, pp. 410-11.

³ Lansdowne MS. 105, fo. 182.

and a later draft, though which is the later it is extremely difficult to say. I incline towards the opinion that the Burghley paper is a copy of that which Wentworth had in the house.

For the course of events on 1 March, the day on which Wentworth made his speech, we are dependent upon D'Ewes, our anonymous diarist on this of all days, having gone off to hear a sermon at the court. Wentworth evidently delivered his introductory speech and then handed the questions to the Speaker to be put to the house. He was asked to spare his motion until the queen's pleasure was further known concerning Cope's bill and book; but as he refused, the Speaker declared that he would first peruse the questions and then do what was fit. The story is continued in a note appended to the version of the questions used by D'Ewes. 'These questions', it states, 'Mr. Puckering pocketted up and shewed Sir Thomas Heneage, who so handled the matter, that Mr. Wentworth went to the Tower, and the questions not at all moved. Mr. Buckler of Essex herein brake his faith in forsaking the matter, and no more was done.' The Speaker was sent for before the day's business was ended, and the house therefore rose. It was most unusual for the queen to terminate the sitting of the house in this way, and although it is not a necessary assumption that Wentworth's action was the cause of it, yet if it was, one can only conclude that the privy councillors who were watching the proceedings felt that a crisis was at hand and took extraordinary steps to avoid it. Wentworth was sent to the Tower, perhaps that day. The next day Cope, Lewknor, Hurlston, and Bainbrigg were sent there also.¹

It has always been supposed that these members were imprisoned for the speeches that they delivered in parliament. Were it true, and were there no modifications to be made in the history of other incidents in the reign, then there would perhaps be some excuse for regarding freedom of speech in the Elizabethan age as a sorry fiction. But the assumption has its difficulties. Strickland had been confined to his house in 1571 for introducing a bill on church reform, and Cope might on this occasion have been justly imprisoned for a similar violation of the royal supremacy: although it must be borne in mind that Strickland's confinement had been tacitly admitted by the council to be a false move. But why, we must ask, were Lewknor, Hurlston, and Bainbrigg sent to the Tower, whereas Throgmorton, Dounlee, Topcliffe, Hastings, and others were not, although they also, as the anonymous diary shows, urged the reform of the church?² The difficulty is not insuperable, but

¹ D'Ewes, pp. 410-11.

² Harleian MS. 7188, fos. 93 b-94.

fresh doubts appear when we turn to the official reply vouchsafed to a motion of Sir John Higham's on 4 March. He had said

that he would not nor thought none of the howse would once open his mouth for any disloyal subiect such as Parry was that was taken out from amongst them and worthily committed. but incoraged by the liberties of the howse, he was more bold to beseach the howse to ioyn with him as humble sutors to her maiesty for the enlargment of some of the howse he herd to be latly committed to the Tower for speaking of ther conscience. not well seinge how the howse could further proceed well in matters of so great importance without his members.¹

To this the vice-chamberlain replied by protesting his concern for the liberties of the house and admitting the wisdom of petitioning the queen if the commitment were for matter within the compass of their privileges; yet suggesting that it might be strange from them and appertaining to the queen's justice.² D'Ewes and all his successors have regarded the reply as a subterfuge. If it was a subterfuge, then it was an extraordinarily clumsy one, and could not have deceived the house had parliamentary speeches been the cause of imprisonment. Yet the commons were apparently satisfied that they could not even sue for the release of their fellow members.

Clearly some other explanation of the imprisonment should be sought: and it is supplied by a comment of William Lambert's, who was a leader of the agitation in parliament in 1566, and was, I think, Lambarde the antiquary. He compiled a small volume of parliamentary precedents in which the following passage occurs:

Mr. Cope Lewknor Hurlstone Baynbridge &c were comitted to the Tower by the Queene for that before the parliament they had sundry conuencions for the preferring in parliament a booke touching the rites of the church and a forme of an Acte for establishing of the same, which also they did printe preferre and urge in parliament. But it seemed if they had treated thereof only in tyme of parliament being Burgessees they should not haue bynne ympeached. Feb. 28 Eliz.³

¹ i. e. members of the house (Harleian MS. 7188, fos. 95 b-96).

² *Ibid.*, fo. 96; D'Ewes, p. 412 a.

³ Brit. Mus., Add. MS. 5123, fo. 18 b. The manuscript is entitled, 'Some certaine notes of the Order, Proceedings, punishments, and priuiledges of the lower howse of Parliament'. The reasons for attributing it to Lambarde are the following. On fo. 10 b, in referring to the suit to the queen concerning the succession in 1566, the author states that the suit 'was in a sorte moued to bee yntreated by the speeche of this writer W: L: . . .' We know from the *Commons' Journals* (i. 76) that this person was named Lambert. Further, the tract is prefaced with a bibliography, item 4 of which is 'The fragments of my writinge': and no contemporary writer on constitutional subjects is known with a similar name, other than Lambarde. Two objections are easily met. The first is the form of the name. But I have noted several contemporary instances where the antiquary's name is spelt Lambert (Dasent, *Acts of the Privy Council*, xxiii. 258; Harleian MSS. 539, fo. 100, 1877, fo. 58, 5141, fo. 45 b; Cotton MS. Titus, B. ii, fo. 263; Stowe MS. 415, fos. 1, 30 b, &c.). Probably

We need not, however, rely solely upon Lambert, for in an interview between Wentworth and James Morice, attorney of the court of wards, in 1592/3, Morice offered this significant advice: 'And you Mr. Wentworth . . . should beware of conferences for if you remember you and others weare committed to the Tower for your conference in matters of religion the last parleament.'¹

If we are to appreciate the full significance of this new evidence we must look back a little. The puritan agitation in the country had reached a climax at the time of the last parliament in 1584-5. Petitions had been sent up to parliament by organized effort, members had been canvassed and stirred into activity, and a false impression of spontaneous and general discontent had been created which temporarily deceived both council and queen.² The restrictions imposed and gradually acquiesced in during the course of previous sessions ultimately broke down before passions so cleverly stimulated, and bills for ecclesiastical reform were set on their way through the house, unsanctioned, until the queen reprimanded the commons and forbade further proceedings. Elizabeth judged the temper of members, however, and though firm was conciliatory. At the close of the session she sought to assuage their discontent by assuring them personally of her concern for the reform of abuses.³

Organization had therefore justified itself if it had not triumphed; and Cope's action in 1586/7 was evidently the opening of a renewed parliamentary attack which was to be pressed forward by a group of members who had previously prepared their campaign. Perhaps we should associate it with the puritan synod that was held in London at the same time.⁴

they are phonetic spellings. The second objection is that we should have to assume that a southerner sat for a Yorkshire borough in parliament (*Official Return*, part i, p. 406). That, however, is by no means strange in the Elizabethan age. If Lambarde be accepted as the author, then his parliamentary experience is an extremely interesting addition to our slight knowledge of his life. Furthermore, Lambarde is then the author of the first parliamentary precedent book that I at any rate know of; and May's *Parliamentary Practice* therefore comes down in a long line of descent from it on the one side and the medieval 'Modus' on the other. Other copies of the pamphlet are Harleian MSS. 2234, fos. 1 f., 4619, fos. 1 f. It was published in 1641 with the title *The | Orders | Proceedings, Punishments, | and | Priviledges of the Commons | House of Parliament in | England. |* It was also included in the *Harleian Miscellany*. But both these printed texts are incomplete and corrupt.

¹ Harleian MS. 6846, fo. 108. Morice is clearly referring to 1586/7, although 'the last parleament' was really 1588/9.

² See Usher, *Reconstruction of the English Church*, i. 39 f., and *Presbyterian Movement* (Camden Soc.), pp. xix, 40; also Fuller, *Church History* (1845), v. 83.

³ Neal, *Hist. of the Puritans* (1822), i. 364-6; D'Ewes, pp. 328, 329. Unfortunately we cannot follow properly the progress of the puritan bills this session. The *Commons' Journals* are lost, and D'Ewes's habit of citing the readings of only a proportion of the bills leaves several points obscure.

⁴ Usher, *Presbyterian Movement* (Camden Soc.), p. 98. Cf. Fuller's statement about the connexion of the synod in 1584/5 with parliament (*Church History*, v. 83).

Cope, Lewknor, Hurlston, and Bainbrigg had therefore discussed matters of state outside parliament where there could be no question of privilege, and their imprisonment concerns, not the liberty of speech of members in the house of commons, but the liberty of speech of the general public outside. This, which may seem a quibble, is really an important distinction. Ultimately the wider freedom had to reveal itself as a necessary corollary to the narrower, even for the conduct of parliament; but though it be assumed that the real object of the imprisonment of these members was to frustrate their agitation in parliament, yet the choice of the ground of attack was a tacit acknowledgement that it was inadvisable—we cannot say illegal—to imprison members for speeches in parliament, even when they were upon forbidden topics.

The connexion of Wentworth with Cope and the other imprisoned members is not clear. Morice says that he took part in their conferences; and so far as we know he is the *et cetera* of Lambert's note. If so, then his speech and questions were a move in their common tactics, a move no doubt of his invention. I think we can be sure that he was at some conference. The note at the end of his questions is significant: 'Mr. Buckler of Essex herein brake his faith in forsaking the matter.'¹ And an echo of the incident probably comes to us from 1592/3, when, as we shall see, similar tactics were tried: Mr. Wentworth, wrote one who then met in conference, told us 'how diuers old parliament men had failed him in former tymes, some of them haueinge promised to second him, and back him in a motion to be made by him, neuer speakinge a word therein: others vnder-takinge to beginne the motion neuer openinge their lippes in the same'.² Moreover, there is in a Harleian volume of miscellaneous papers, in close proximity to other speeches of Wentworth's, a long speech headed simply, 'Freedom of Speech', which was obviously intended to support Wentworth's motion and questions this session. The same ideas, the same outspoken manner, often the same phraseology characterize it as characterize his other writings.

The speech opens as the speech of 1575/6 opened: 'Mr. Speaker sweet (indeed) is the name of libertie but libertie yt selfe is (indeed) and (indeed) a value beyond all inestimable treasure.' Thereafter it describes the powers of parliament:

This Honourable house and assembly is termed a Counsell, yea . . . the great Counsell of England, and highest Court of this Realme. . . . All Courtes ar here to be controlled: here may and ought to be made such lawes as god is honoured by: heare ought to be reuoked and frustrated

¹ *Supra*, p. 49.

² Harleian MS. 6846, fo. 97 b. The confession of Richard Stephens.

all such lawes as god is dishonoured by : here we ought to counsell with the wise men of this Realme for the maintenance of the Queens maiestes estate : here lawes ar to be deuised for the preseruacion of her maiestes person and this noble common wheale and punishment of any traytors or treason therunto : and if it may be knowene that any persons, within the realme or without, intend any perill either to her maiestes estate or person, or to this noble Common wealth, here must be deuised how to cutt of such ill reedes and how to withstand their traiterous purpose : here must be studied and foreseene that if any charge do come vpon her maiestie and this her Realme, how it may be honourably sustained . . . : here ought to be deuised how her maiestie may be enriched and made strong [against her enemies] . . . : here lawes ar to be made for the common weale, to be frustrated, to be added vnto, to be deminished or taken from . . . : here that offence and person which law cannot punish, this honourable Counsell and high Court may : . . . [yea, it] may iudge of all titles, euen the highest, and may also take away liffe, lyme and inheritance, and he is a traytor that saieth it wanteth power ; . . . and to conclude no other Counsell or Court hath authoritie to doe all those waigtie bussinesses. . . .

With biblical and classical quotations the writer enumerates the benefits that flow from taking counsel. As it is a certain thing that unto every council free speech is due, so *a maiore* is it due to this, the highest court and greatest council. He describes the duties of those trusted to give counsel. To withhold it is treason to God, the prince and the realm, and the divine punishment such an offence incurs is to be cast into outer darkness. All who bring in doubt or question whether free speech is due to this council or not are guilty of the crime in the highest degree ; and, moreover, he adds, Christ said 'he that is not with me is against me'. Evidently anticipating that Wentworth's motion would be opposed as an innovation, the writer asserts that the liberty of the house

seemeth in my simple iudgment greatly weakened and preiudiced by the last speech . . . in that it is objected that the Queens maiestie liketh not of innouacions. I answer . . . this is no innouacion, but rather a renouacion. . . . And who [he continues] dare tell her maiestie what we ar in hand withall in this high Counsell without the consent of the house . . . for that warr a betraying of the secretes . . . and . . . an intollerable fault ? . . . to conclude I am in humble hartly and feruent manner to require euery one of this honourable Counsell to stick earnestly to the former motion, to wit, that the house may answer these questions, by question. . . .¹

In all probability it was Wentworth who composed the speech. Elizabeth once said that he had an opinion of his own wit.² He certainly did not hesitate to compose speeches for others ; and

¹ Harleian MS. 1877, fos. 55-7.

² Add. MS. 24664, fo. 45 a.

this may well be the speech which he expected Buckler to deliver. If Buckler's part was arranged at a conference, he was not to our knowledge imprisoned for his share in the conspiracy, although it is quite possible that he and others were examined by the privy council and escaped punishment because they had deserted the cause. We have no idea how long the imprisoned members remained in the Tower. Apparently they did not return to the house that session.

J. E. NEALE.

(To be continued.)

...

Princess Lieven and the Protocol of 4 April 1826

THE protocol of 4 April 1826, signed at St. Petersburg by Wellington on the one side, and by Lieven and Nesselrode on the other, has always been somewhat of a mystery. One thing is certain. It was, in every sense of the word, a diplomatic revolution. For it committed England to work with Russia for some kind of intervention in Greece. Hitherto Russia had worked either alone or with the Neo-Holy Alliance,¹ and since the beginning of 1825 England had stood aside from any co-operation with either. Now Russia was, in fact, definitely separated from Metternich, and England was brought to co-operate with Russia to settle the Greek question. It was the end of the Neo-Holy Alliance and the congressional or international system of government. It was the beginning of the break-up of the Turkish empire, for it started England and Russia on a slope which was bound to end in the freedom of Greece.

So far we are on sure ground, but neither the circumstances which brought it about, nor the aims of the negotiators, nor the actual meaning of its provisions, have ever been made clear. There is, however, fresh evidence now available from the Vienna archives and from the unpublished Diary of Princess Lieven which suggest an intelligible explanation and throw a new, if not a complete, light upon the mystery.² The situation in the middle of 1824 can be briefly summarized. Strangford, as British ambassador at Constantinople, acting on behalf of all the powers, carried through a settlement of almost all the points

¹ Strictly this included only Austria, Russia, and Prussia, but in this case France also attended the conference.

² Madame Lieven's Diary was known to exist in Russia (see Ralph Sned in *Philobiblon Society*, xiii. 15 [1872], on authority of Lord Houghton), though it has never been published. A transcript of some parts of it, taken some years before the late war, has been placed in my hands by the transcriber. The copy was taken under circumstances which leave no doubt of its authenticity. So far as is known the original has not been found by the Bolsheviks, and may have perished in the revolution. Some allusions to the Lievens will be found in my previous article, *ante*, xxxviii. 222, no. 1. There are no letters extant of Madame Lieven of much importance in 1825 or 1826. For a bibliography of her life and letters see Jean Hanoteau, *Lettres du Prince de Metternich à la Comtesse de Lieven* (1818-19), (1909), pp. 389-402.

at issue. He returned to England at the end of 1824. But Russia still refused to send her minister back to Constantinople, and attempted to call a conference on the Greek question at St. Petersburg. Canning had sharply rebuked Bagot (the British minister) for attending a joint session of the Neo-Holy allies and France on the eastern question in July 1824 at that city, but had not then given a definite indication that England would refuse to attend the formal conference. In September, however, he received a communication from the provisional Greek government protesting against the Russian scheme of settlement, which had leaked out in the press. Canning already knew that Turkey would refuse to accept the allied proposals, and he was himself opposed to any use of force or coercive measures against either Turkey or Greece until late in 1825. As both parties were now certain to refuse the proposals of any conference, and as Canning was not prepared to coerce them, he considered that a conference was useless. Accordingly Bagot was recalled and Stratford Canning¹ sent to St. Petersburg by way of Vienna. He was instructed (8 December 1824) to take the following line. England would not join in any joint scheme of mediation or conference unless two preliminary conditions were fulfilled: (a) the Russian ambassador (M. Ribeaupierre) must have returned to Constantinople; (b) 'To forcible intervention England could not be a party, nor, by consequence, to councils that might lead to it.'

Now this was, in polite terms, a refusal by Canning to take part in the St. Petersburg Conference. For neither condition was really acceptable. Metternich wanted to go on playing the game of conferences in order to hoodwink the tsar and indefinitely spin out negotiations. Alexander wanted a conference because he hoped he could obtain from it a mandate for Russia to use force against Turkey. Both wanted a conference, though for different reasons, yet neither could accept Canning's terms.

In December 1824 Stratford found Metternich plaintive at Vienna, and in January 1825 Alexander furious at St. Petersburg. Both were also exceptionally irate with Canning in January, as he had just taken steps which amounted to a *de facto* recognition of the Spanish-American colonies of Buenos Ayres, Mexico, and Colombia. The two steps together amounted to a definite separation from, as well as a defiance of, the Neo-Holy Alliance. Alexander showed the worse temper, and in January intimated that all diplomatic relations were suspended between England and Russia, so far as Greece was concerned, and that the

¹ Lane Poole, *Stratford Canning*, i. 344-5. To avoid confusion I refer in future to George Canning as Canning and to his cousin as Stratford.

subject was not to be mentioned by M. Lieven.¹ The conferences of France, Russia, Prussia, and Austria met in January at St. Petersburg, but disputes began at once. Finally on 5 April Austria refused to support Russia in any coercive measures against Turkey. In May Alexander broke off the conferences in wrath. He had thus, in effect, suspended diplomatic intercourse over Greece with England on the one hand, and with Austria and the rest of the allies on the other.

Alexander had another reason for being angry with Metternich. The astute Austrian had paid a visit to Paris in March 1825, and there, forgetting his usual tact, boasted inordinately of his ascendancy over the tsar. 'His head', says Madame Lieven, 'was turned. He committed the most astonishing indiscretions. He uttered sentences sufficiently contemptuous of the Emperor Alexander, he confessed to all the artifices he employed to force the emperor to leave the eastern question in his hands.' 'I found the emperor', said Metternich, 'a Jacobin, I have made an Ultra of him: it only remains to make a tyrant of him.'² There is plenty of other evidence that the substance of this boast is true and that Pozzo di Borgo, the Russian ambassador, reported most unfavourably of Metternich. The emperor certainly knew the circumstances by the end of June. The Grand Duke Constantine told Alexander that the duchess of Angoulême had said to Metternich 'that France never could forget how entirely she owed the happiness of possessing the Bourbons to the counsels of Prince Metternich and the wisdom of the Emperor Francis'. Pozzo di Borgo, who overheard it, was extremely indignant, 'reported the matter, complaining of this "ignorance of history"' (i. e. of the services of Alexander to France).³ As Canning wrote later, 'the facility and almost *dupery* of the Emperor Alexander became matter of common talk' at Paris during Metternich's stay, and every one knew who had inspired the talk.⁴

All these stories came to Alexander at a most unfortunate

¹ Ferdinand of Spain was urged by Alexander to do the same over Spanish America. Metternich sent a message to Alexander that he approved in principle, but thought it unwise to break openly with England (Wiener Staats-Archiv, Weisungen nach Russland, Bd. 7, Metternich to Lebzeltern, 22 February 1825).

² Lieven Diary.

³ Public Record Office, F.O. Russia 181/66, Disbrowe to Canning, 29 June 1825, says he had heard this 'in the most confidential manner'.

⁴ Wellington, *Desp. and Mem.* (1867), iii. 85, Canning to Wellington, 10 February 1826. A guarded reference to these same stories and Pozzo di Borgo's report is given by Esterházy to Metternich, 14 September 1825 (Wiener Staats-Archiv, Berichte aus England, Bd. 226). The authority he quotes is Count Münster, the well-informed Hanoverian minister of George IV. Lebzeltern records a somewhat heated protest by Nesselrode to him on the subject of Metternich's criticisms of Russia at Paris (Wiener Staats-Archiv, Russland, Bd. 7 (1825), Lebzeltern to Metternich, 31 July 1825, no. 126. Secret).

moment for Metternich. The tsar's mind had, for some years, been morbid and excitable to a degree. He had now every reason for grave anxiety. His great religious scheme of the Neo-Holy Alliance had fallen in ruins around him. His fidelity to Metternich had been rewarded by what he regarded as betrayal. His generals for one reason, his people for another, pressed him to go to war to protect their co-religionists in Greece. After such brilliance of success his life seemed a failure, his illusions were dead. It was at this critical moment (at the end of June) that Madame Lieven arrived in St. Petersburg.

She found things in an extraordinary state. She stayed with the dowager empress at Pavloffsky, where were all the gaieties and where diplomatists and courtiers assembled. Alexander seldom appeared there. He lived at Tsarskoe-Selo, alone with his wife but separated from her, 'a sort of reciprocal expiation. He dined alone, he walked very much alone in those fine gardens. No one went near him, he saw his ministers seldom; and only for business. His occupations in those days were pious readings. He was sometimes seen with his Bible under his arm . . .'¹ He lived like a monk and was the most solitary man in his great empire, perhaps in Europe.

At her first audience Madame Lieven was cautious, praised Canning discreetly, and testified surprise at the gasconnades of Metternich at Paris. Alexander spoke of the 'weakness' and 'the incurie' of other cabinets. 'I said to him "Put your foot down, Sire, and you will make the whole world tremble", for that was precisely what the emperor did not think that he could dare to do.'¹ Madame Lieven heard she had made an impression, and talked to the chancellor, Count Nesselrode. The latter was timid, but very angry with Metternich over the break-down of the conferences. Together they formulated an idea, which 'was reduced to this, to detach ourselves from Austria and reapproach England, for everything could be done by this double relation'.

A week later Nesselrode brought Madame Lieven tangible evidence of Alexander's displeasure with Metternich. The Austrian had requested him to praise the grand duke of Baden for having forbidden the debates in his legislative assembly. Alexander told Nesselrode to answer that he 'had no time to busy himself with this matter'. Nesselrode rejoiced, for he thought it 'the first opposition to the wishes of Austria'. A few days later (apparently in mid-July) Alexander had two further conversations with Madame Lieven: 'without any preamble he began to speak of Metternich "I am discontented with him . . . his line (*marche*) is not straight, I must watch that

¹ Lieven Diary.

from another side.¹ Canning is a Jacobin, is not that true ? ” (Some years before Canning had said to Pozzo at a dinner of the Duc de Decazes “ Your emperor (Alexander) is neither more nor less than a Jacobin ”.) “ You will pardon me, Sir,” replied Madame Lieven, “ Canning is not a Jacobin. The distinctive mark of his policy to-day is to be the enemy of Prince Metternich and he has some reason to be that.”² The emperor was too cautious to follow this up, but he ‘asked a thousand questions about Canning, about the Austrian ambassador in London (Prince Esterhazy), even about his secretary Neumann . . .’. Madame Lieven here summarizes her impressions.

His [Alexander’s] political position was however delicate. He had been abandoned by England. He found himself equally removed from his other allies on the eastern question. All powerful as he was he needed an ally—but could he made advances ? . . . He was full of terrors. He remained irresolute, humiliated, braved (*combattu*). For ten years he had governed Europe. He no longer knew how to govern himself. Yet he felt that the moment to take a great resolve was near.³

In point of fact (though Madame de Lieven does not mention it) Alexander took a decisive step on 18 August. He then issued a circular dispatch to his representatives at Vienna, Paris, and Berlin, to the effect that his allies at the conference had not supported him over the Greek question, and that in other matters as well there was not that ‘reciprocity of services which he had a right to expect’.⁴ Hence, if any overtures in future were to be addressed to them by these courts, the respective diplomatists were to take them all *ad referendum*, and say at the same time that they did not know how far the emperor was prepared to act in concert with his allies in future in the Eastern question, or in other matters. They were specially to stress that the emperor had not received satisfaction from the Turks in their evacuation of the Danubian principalities or in their promised release of the Serbian deputies, and that these events might lead to war. Two points are to be noticed here. The emperor had definitely

¹ On 29 July Lebzeltern dined with Madame Lieven and Nesselrode and detected traces of hostility (Wiener Staats-Archiv, Russland, Bd. 7, Lebzeltern to Metternich, 30 July 1825, no. 152. Secret). Madame Lieven says she wrote to Metternich to warn him against irritating Russia, and the fact of her correspondence with him in 1825 in this sense is confirmed by Metternich himself. See Metternich to Lebzeltern, 13, 16 August 1825, in the selection of their correspondence printed under the title, *Les rapports diplomatiques de Lebzeltern (1816-26)*, par le Grand-Duc Nicolas Mikhaïlowitch, St. Petersburg, 1913, pp. 304, 312. There is further confirmation in Hanoteau, *Lettres de Metternich à Madame Lieven*, pp. 332-3.

² Lieven Diary. In 1823 she had written to her brother of Canning as ‘a Jacobin Minister’ (Robinson, *Letters of Princess Lieven*, p. 64).

³ Lieven Diary.

⁴ The text is in Schiemann, *Geschichte Russlands*, [1904], i. 608-10. The date given is 6th, but this is Old Style (i. 346) and is therefore the 18th.

broken with the conference policy and the Neo-Holy Alliance, and indicated possible and separate active intervention by Russia in the Danubian and Servian question. But he said very little about Greece and nothing at all about a *rapprochement* with England.

These two steps were reserved for a separate negotiation with the court of London, to whom this circular was not addressed. Madame Lieven herself tells us how that was brought about. The tsar knew she was leaving for England on 31 August. At 10 p.m. on the 30th she received an urgent message from Count Nesselrode to the effect that he must see her next morning before she left as he had to give her 'an urgent communication on behalf of His Majesty the emperor'. Madame Lieven sent a message in reply that she would see Nesselrode at ten the next day before leaving. He arrived and informed her that it was 'a conference in due form. He would speak as minister to minister and that for better comprehension he would give me word for word the dialogue he had had the evening before with the emperor':

Alexander. 'Madame de Lieven goes to-morrow: have you seen her much during her stay here?' 'Several times, Sire' (Count Nesselrode's precautions went so far as to conceal his frequent visits to me. The emperor was very suspicious).

Alexander. 'Ah well! if you have spoken with her you will have been satisfied. I have found her sensible on all questions. She judges fairly and without prejudices. An idea has come to me which I have been working out for some days. Could we not profit by her return to England to reapproach that cabinet? She knows the influential persons in that country, she enjoys great consideration, she well knows the means to use her position to render the service I ask of her. This is what you must tell her is my opinion on the present situation. The Turkish power is crumbling; the agony is more or less long, but it is stricken with death. I am still here, armed with all my power, but strong in my known principles of moderation and disinterestedness. How will it not profit me, with my aversion from any project of conquest to reach a solution of the question which is incessantly disturbing Europe? So long as I follow them [my principles], they [Metternich] try to profit by it. I cannot remain in this position for long.

'Affairs become daily more complicated. I am pushed, urged on by all my entourage. My people demand war; my armies are full of ardour to make it, perhaps I could not long resist them. My allies have abandoned me. Compare my conduct to theirs. Everybody has intrigued (*tripoté*) in Greece. I alone have remained pure. I have pushed scruples so far as not to have a single wretched agent in Greece, not an intelligence agent even, and I have to be content with the scraps that fall from the table of my allies.¹ Let England think of that. If they grasp hands [with us] we are

¹ I am indebted to Mr. C. N. Crawley of Trinity College, Cambridge, for the

sure of controlling events and of establishing in the East an order of things conformable to the interest of Europe and to the laws of religion and humanity. That should be the foundation of the instruction to Madame de Lieven. In addition she must understand well that we cannot make the least advances to England. That would not suit my dignity after what passed last winter. But we can make the cabinet of England understand that, if it takes a step, it will not be repulsed, that we shall always be ready to welcome its ideas. The sending of Lord Strangford will serve as a pretext ; his arrival here will form a new epoch in this question. He must be furnished with instructions to take it up on a new basis. Finally these are the ideas which I wish you to make Madame de Lieven clearly understand. You will listen attentively to her observations and objections and you will report them to me. . . .’ [He ended by telling Nesselrode to get into touch with her before she left, and preserve complete secrecy.]

The flattered lady described herself as amused and disturbed : ‘ Here was the most cautious and discreet of ministers compelled to entrust the most confidential, the most intimate, and most bold political projects to a woman. It was new and something to laugh at.’ She observed that all the [British] ministers were pro-Turk and had a horror of Greek revolutionaries, ‘ the King sharing all these prejudices, the public very cold . . . ’ ; on the other side Canning was ‘ *fort capable d’exaltation*, and one who easily took up an idea that was great and new. But how arrange it when we had shut our mouths in England ? ’ ‘ A woman ’, said Count Nesselrode, ‘ knows how to make people speak, and that is precisely why the emperor considers you have a unique opportunity, and your presence here has been for him like a revelation ’ (here was revealed in its entirety the mystic faith of the emperor).

But what an incredible idea ! The emperor then wishes to break the Alliance. He desires a separate engagement with England and, in agreement with her, to drive the Turks from Europe. To erect in their place a Christian power, in a word to overthrow everything.

The Count de Nesselrode seized himself by the head and looked fearfully at the door. ‘ My God ! if the emperor heard you ! ’ Then, very low : ‘ Ah well it is possible that that is what he dreams of,’ and shoving his spectacles up over his forehead, he gave way to a movement of lassitude and despair.

Madame Lieven, after some more *badinage*, demanded instructions in writing.

The prudent Count de Nesselrode confined himself to writing . . . ‘ Believe all the bearer tells you ’, and ten minutes after he led me to my carriage.

following note as well as for some other advice. In the Record Office, C.O. Ionian Isles, there are a good many intercepted reports from the Russian consul Sandrini at Corfu. Later there was a Greek (Vlassopoulos) in the Russian service travelling in Greece before the first accredited agent was sent.

The emperor had doubtless enjoined this piece of politeness, which agreed with his caution not to see me till the moment of my departure.¹

This then, told as nearly as possible in her own words, is Madame Lieven's story. Her statement is clear. She was, said Nesselrode, 'a living dispatch'. She says that she was instructed with a mission to give Canning the verbal information that Alexander was prepared to break with the Neo-Holy Alliance and to work separately with England over Greece. She was to hint that his dignity forbade him to make an overture himself, but that, if England initiated proposals in the sense indicated, they would not be rejected. It is well to state here that Alexander's own dispatch of 18 August indicated that he had at any rate broken with Metternich by that date. Of the tsar's message to Madame Lieven she complacently records, 'the last act, the last word, I would even say the last political *thought* of his reign was, then, the mission he entrusted to me'.¹

On 13 September Alexander left for the Crimea practically *incognito*, without a minister but significantly attended by a general, and on 1 December he died at Taganrog. It is known, almost with certainty, that he had decided on war with Turkey in the spring, if he did not obtain satisfaction from the Turks on the question of the principalities.² But he hoped to stop at the Danube. There was nothing in all this to prevent him co-operating with England over Greece, though England might not find co-operation so easy.

Before examining Madame Lieven's story further it will be well to give the point of view of Canning. He does not seem to have been at all distressed by Alexander's suspending relations with him in January. In fact in March Stratford succeeded in discussing Greece with Count Nesselrode at St. Petersburg, though Lieven remained dumb in London. Canning foresaw that the conference would end in a collision or deadlock, and therefore in an *impasse* between Russia and Austria. Early in April he calculated (and rightly) that that result had been achieved.³ Early in June Lieven had hinted at a *rapprochement*

¹ Lieven Diary.

² The evidence is overwhelming. See F.O. Russia 182/2, Stratford to Canning, no. 4, 17 January 1826. Stratford seems to have got his information from the very able Austrian ambassador at St. Petersburg. Lebzelter reported this determination as 'not certain' (6 January 1826, Wiener Staats-Archiv, Russland, Berichte, Bd. 9) to Metternich, but a week later said that he had been mistaken. See *ibid.* Bd. 10, to Metternich, 13 January 1826, lettre particulière. Also (*ibid.* Bd. 9, to Metternich, 4 February) he says Nicholas told the French ambassador, 'Il [Alexander] allait enfin le terminer'. Canning expressed the same view derived from other and no less correct sources. So also did the Prussian envoy, General Schöler. See Schiemann, i. 495-6.

³ The quotation is from Record Office, F.O. 352/10, Stratford de Redcliffe MSS., George Canning to Stratford Canning, 2 April 1825. Cf. to Granville, 12 April 1825. Stapleton, *George Canning and his Times*, pp. 459-61.

between England and Russia as possible, but Canning remained indifferent. 'Since the Autocrat imposed the silence, he may keep or break it as he likes best.'¹ Canning was very easy in his mind, for he had now made his peace with King George and had few intrigues to fear in that quarter. He was delighted at the differences of Metternich and Alexander.

They find that they cannot get on without us on the Greek Conference, and they will be glad to have us there at any cost. If at the cost of abjuring force (M. Ribeaupierre being at Constantinople) I do not see why we should be inflexible. But still I am in no hurry.²

He compared Alexander to 'silly Mr. Tomkins' in a topical song, and said 'Metternich has to thank his own *finesse*, if he, and not I, is the cruel Polly Hopkins who steps between Mr. T. and his desires'³ (13 August). He foresaw that one or other of them, and probably both, must apply to him separately to help them out of their *impasse*. One thing alone made him anxious, the knowledge that Alexander was becoming more warlike.

In September Canning had been placed in a very strong position by the fact that the provisional government of Greece had asked Great Britain to assume a protectorate over them, and suggested that a British royalty (Prince Leopold or the duke of Sussex) should be their prince. In an interview with the Greek deputies on 29 September Canning told them that the policy of England would be that of strict and undeviating neutrality, that the question of a protectorate could not even be considered, and that it was most unlikely that an English prince would accept the offer. But he was careful to leave open the opportunity thus given to offer English mediation between Greece and Turkey. Canning had therefore the game in his hands. He was the recognized favourite of Greece and could wait. Russia and Austria were certain to approach him in the matter, for they feared that the Greek offer might be accepted.

Madame Lieven arrived in England on 28 September. On the 14th Esterhazy had already noticed a marked coldness on the part of Lieven and a tendency on his side to withhold all information. It did not take Madame Lieven long to find out (she says 'ten days') that there was nothing to be done with

¹ 3 June 1825, *ibid.* p. 463. He had received from two different channels hints that Metternich wished to be 'good friends again' in March; see Stapleton, *Correspondence*, i. 260. At the end of May the Austrian representatives at Paris and London reported on the coldness of their Russian colleagues (Wiener Staats-Archiv, Berichte aus Frankreich, Bd. 362, Vincent to Metternich, 24 May 1825).

² Stapleton, *George Canning and his Times*, pp. 464-5, to Granville, and see F.O. 352/10, Stratford de Redcliffe MSS., George Canning to Stratford, 15 August 1825: 'How nicely the pitfall, which Metternich took so much pains to dig for us, fits himself.'

³ Text in Wellington, *Desp. and Mem.* ii. 507-12.

Wellington. He and the rest of the cabinet were as pro-Turk as ever, so that everything depended on Canning. She found out also (and the knowledge was important) that he and the king were beginning to be on good terms, and confirmed this by a visit to the Royal Lodge at Windsor from 17 to 19 October. Lieven was at the Foreign Office on 1 October, but this was only to hear Canning's interview with the Greeks. He was still forbidden to discuss anything. Madame Lieven does not claim that Canning was approached at this date.¹ Much more important is the fact that on 12 October Canning drew up his instructions for Stratford and sent him off to Constantinople on the 13th. The instructions were evidently intended to forestall Russian designs of war by working on the fears of Turkey for the benefit of Greece. The Porte was to be told that

To suppose that Greece can ever be brought back to what she was in relation to the Porte is vain. With how much less than complete separation and independence Greece herself would be satisfied we have not the means of pronouncing; but, if it is wished, we would endeavour to ascertain. We do not obtrude our services. *We do not insist that they should be exclusive*; but we are at present free from all engagements with other Powers, direct or constructive, with respect to the affairs of Turkey and Greece.'

The Porte was strongly recommended to take advantage of this offer and to do so quickly.² The whole line of this argument is almost exclusively British, and is plainly an offer of single British mediation to Turkey to avert the danger of a Russian declaration of war.

Almost at the same date Canning drew up instructions to Lord Strangford and sent him off to St. Petersburg to take up his duties as ambassador. He was on bad terms with Strangford because the latter had voted against Catholic emancipation in May. Further, Strangford had had private consultations with Esterházy and had even showed him his secret dispatches and promised to play Metternich's game.³ Canning was probably

¹ On 5 October Lieven wrote to Nesselrode, 'the return of my wife has put me in possession of the little letter you entrusted to her, and by which you authorize me to hear by word of mouth all the details of the last interview you had together'. He indicates that he has done nothing as yet, 'as it is better to move gradually' (quoted in Schiemann, *Geschichte Russlands*, i. 613). Madame Lieven says in her diary, 'I raised the question of Greece by slow degrees'.

² Wellington, *Desp. and Mem.* ii. 535. Italics my own. The italicized passage might suggest that Canning would have considered working at mediation with some other power. But it was not seriously meant. 'The Turks may so receive Stratford's overture as to make another more useful and practicable. But in whatever direction that move is made, to do any good we must make it *alone*.' To Granville, 8 November 1825. Stapleton, *George Canning and his Times*, p. 467.

³ Wiener Staats-Archiv, Berichte aus England, 225, Esterházy to Metternich, 2 February 1825. Strangford read Metternich's secret dispatches, advised which to submit to Canning, and promised 'the most explicit co-operation' with Austria,

aware of this fact ; he certainly knew Strangford to be a favourer of conference policies. He did not therefore admit him to his own confidences. Strangford was much annoyed at all this and carried his grievances to Esterházy. He even revealed to him his last interview with Canning, which Esterházy thought 'too comic' not to repeat to Metternich. Strangford lunched with the foreign minister, then had to wait till seven in the evening before he could discuss foreign policy with George Canning in the presence of his cousin Stratford. This is Strangford's own account. George Canning 'seated on sofa'—

Canning. Ah—when are you going ?

Strangford. As soon 'as necessary. I have nothing, not even my instructions.

Canning (yawning). Oh—you don't need them ; I'll send them in a couple of days from the country.

Strangford. But I have still to speak to you on so many subjects. I know nothing of France, Spain, Portugal, Brazil, I don't know any of your views on all that.

Canning. Oh ! that is not necessary for the moment.

Strangford. But finally for Russia—what style of attitude (*quelle nuance*) have I to adopt to the emperor ?

Canning. Just keep him in good humour—that's all. Good-bye. Adieu.¹

This proves anyhow that Strangford was not to break the ice, and suggests, therefore, that Canning did not yet know 'the great secret'.

The instructions, drawn on the 14 October, reached Strangford just before he sailed (18 October). They remark on the 'extreme difficulty' of working either with Austria or France over Greece, and that it was 'desirable that the Russian Government should know the grounds on which our sense of that difficulty is founded'.² Strangford was really intended to welcome and transmit any Russian overtures, and to avoid joint intervention. His role was strictly limited and he was not even shown Stratford's instructions. But he was too vain a man to believe Canning's dictum that 'doing nothing is as often a *measure*, and full as important a one as the most diligent activity'. And by his failure to do so he was soon to incur a humiliating rebuff.

These two instructions show clearly that Canning was trying to get ahead of other powers with an offer of a single British

just at the moment Canning had refused it. Canning's later reference to Strangford's 'false play' (to Granville (26 December 1825), Stapleton, *Correspondence of Canning* [1888], i. 247), shows that he suspected this collusion with Metternich.

¹ The original is, of course, in French (Wiener Staats-Archiv, Berichte aus England, 226, 8 October 1825, Esterházy to Metternich).

² Public Record Office, F.O. Russia 181/65, Instructions to Strangford, 14 October 1825. Strangford annotated his own copy thus : 'a foolish sneer,' &c.

mediation at Constantinople, that he was favourably inclined to Russia, and unfavourably inclined to Metternich. But they suggest, on the whole, that he was expecting an overture from Russia evidently hoping to get the Porte to accept British mediation beforehand. Certainly he was not making an overture to Russia, by way of Strangford, as Alexander had suggested, and this fact seems to show that he did not know the 'great secret' in mid October.

Madame Lieven's main point was that England must make the overture, but that Russia would not refuse it. Canning was evidently still thinking in the middle of October that Russia would take *le premier pas*. It does not seem that his eyes were opened until his highly important interview with Lieven at the end of the month.¹ On the 25th and 30th Lieven, and apparently Madame as well, came over secretly from Brighton to Seaford, where Canning was staying, to make it.

For nine months Lieven had listened to anything Canning had to say on Greece, but always without returning any answer. On 25 October he broke silence. He made a most important communication 'in entire personal confidence', a phrase of which Canning well knew the import. Lieven disclosed two documents dealing with the conferences of St. Petersburg and showing the grave differences between Austria and Russia. 'It is impossible for ill-humour to be expressed more strongly than in the whole tenor of these two documents.'² Canning concluded that this meant that

the time approaches when *something* must be done; but not till Austria as well as France has put into our hands the dealing—first with Russia, and then with the parties to the war. I am quite clear that there is no honesty in Metternich and that we cannot enter into joint concert with him, without the certainty of being betrayed.³

Canning therefore had already decided that England could act alone, or with Russia, but not with any one else.

The third communication made by Lieven on the 25th was, however, of even greater ultimate importance. It ran as follows: The Court of Russia has positive information that before Ibrahim Pasha's army was put in motion, an agreement was entered into by the Porte with

¹ There is no actual evidence that Madame Lieven met Canning till 10 November, when she and her husband dined at his house, but she was at Brighton in October, and probably came over to Seaford with her husband on the 25th and 30th. There is a striking absence of dates in her narrative after she came to England, and one vague passage might even suggest that the critical interview was in December. But this does not seem possible in view of other evidence (see pp. 75-6), which is actually contemporary, whereas her diary was written at least eight years after the event.

² See Canning's Memorandum of 25 October in Stapleton, *Correspondence*, i. 313-15. One of them was apparently Alexander's circular of 8 August already referred to.

³ Stapleton, *George Canning and his Times*, pp. 465-6, to Liverpool, 25 October 1825.

the Pasha of Egypt, that whatever part of Greece Ibrahim Pasha might conquer should be at his disposal; and that his plan of disposing of his conquest is (and was stated by the Porte to be and has been approved by the Porte) to remove the whole Greek population, carrying them off into slavery into Egypt, or elsewhere, and to repeople the country with Egyptians and others of the Mahomedan religion.

Canning no doubt understood at once the meaning of this utterance. 'It was unquestionably communicated to us for the express purpose of inducing us to enter anew into communication with the Russian Government on the subject of the Greeks, and of interesting us in the fate of that people.'¹

In any case it was a most serious assertion even if it were not true (and, though Canning had his suspicions, he ultimately thought it might be correct). For it was an assertion which would have a most powerful effect on English public opinion. Hitherto he had not yielded to the rising tide of philhellenism, but a disclosure, such as this, might force him to give way, and he knew well that Russian secrets frequently got into the newspapers. It supplied Canning, therefore, with a very strong motive for doing 'something', and for stopping, if necessary by force, a project so monstrous and horrifying. Now force happened to be the thing that he had always hitherto disclaimed in the matter of Greece. His knowledge, as yet, was unofficial, so that he had time to think. In the second week of November he asked the first naval lord of the admiralty if the present amount of our naval force in the Mediterranean was sufficient 'to enforce an armistice between the belligerent parties', and if not, whether it could be speedily and adequately reinforced.² When a man, who had for over three years unvaryingly preached the doctrine of no resort to force in the East, contemplated even its possible and limited application, he had already taken a long stride towards a new orientation of policy.

There were, apparently, two interviews, one on the 25th and the next on the 30th. On the first day Lieven took the first step by reading his memorandum, but it seems more likely that Madame de Lieven's 'great secret' was communicated at the second interview. The last enabled Canning, as he wrote later, to 'open to Lieven in October a system of renewed confidence',³ on the apparent basis of the 'secret'. According to

¹ Wellington, *Desp. and Mem.* iii. 293, Canning to Wellington, 10 February 1826. This was doubtless all Canning dared say in writing, for he could not mention Madame Lieven's verbal communication.

² Mr. Canning to Sir G. Cockburn between 5 and 13 November 1825. Stapleton, *Correspondence*, i. 321.

³ Canning to Granville, 13 January 1826. Stapleton, *George Canning and his Times*, p. 471. He says Lieven made the 'overture': Wellington, *Desp. and Mem.* iii. 91, 10 February 1826.

Martens¹ Canning made three conditions: (1) Most profound secrecy, affairs to be confined to Liverpool, Canning, the duke and the king (the latter only generally). (2) If the overtures touch on the Levant they must depart from 'une base nouvelle'. The negotiations could take place either at London or St. Petersburg as the emperor pleased.² (3) The intervention was to be confined to England and to Russia. Prussia was not concerned, France not to be trusted, Austria too hostile to the Greeks. Lieven demurred to informing King George, but finally consented to do so. He also stated that intervention must take place, as things could not go on as they were.

This summary is probably correct enough. We know certainly that Canning, in welcoming this overture, was definitely deciding for Russia, as he had recently also been approached by Austria and France.³ On the 30th Lieven wrote to Nesselrode, 'I regard our affairs as going on well in this country, my conduct . . . will prove to you that I have given the sense of the "living dispatch" [Madame Lieven] you have sent me.'⁴ This seems to prove that the (secret) Madame Lieven brought from Russia had been revealed.

Nesselrode heard of Lieven's first impressions (those of 25 October) and reported them to the tsar on 8 November. He had also been having conversations at St. Petersburg with Strangford, who now committed a most unfortunate blunder. Nesselrode proposed joint intervention of England and Russia. Strangford, on his own authority, suggested that not only England, but Austria and France, should co-operate. He went off straight away and discussed this project with the Austrian and French ambassadors, and drew up a proposition for a collective *démarche* of the five powers at Constantinople. If the Porte refused, the other powers 'reconnaitraient à la Russie' the right of making war on her (the Porte). The danger of this last phrase was pointed out by Lebzeltern, the able Austrian ambassador, and Strangford in alarm cut it out of his own report to Canning. Unfortunately for him Nesselrode had already 'taken note of it', and sent off a copy to Lieven in London.

When on 17 December Lieven read Nesselrode's dispatch,

¹ F. Martens, *Traité conclus par la Russie* [1895], xi. 336. He puts the interview at Seaford but the date as December. The date must be wrong, as Canning was not at Seaford in December, but was there in October and a good deal of November.

² This fact suggests October or November. After Strangford's blunders in December, St. Petersburg would not be proposed unless Wellington went there, and his mission was not thought of in December.

³ 31 October 1825, Canning to Granville. Stapleton, *Correspondence*, i. 318.

⁴ From Russian archives in Schiemann, i. 348 n., and Nesselrode to tsar, 8 November 1825. *Ibid.* pp. 614-15. A letter of Lieven's of 30 October is quoted in Martens, xi. 336, but the quotations of Martens are open to criticism.

containing this dangerous phrase, Canning refused to believe it, and made him re-read the passage three or four times. He had good reason for his wrath. Strangford had not only tried to commit England to joint intervention with Metternich, he had also recognized the right of Russia 'to go to war' in case of failure. Canning wrote a severe dispatch to Strangford on the same day: 'I really want words to express the astonishment which I felt'—as one of your instructions was 'the absolute stipulation against Force'. He bade him sharply to clear up 'this extraordinary and unaccountable confusion'. Strangford replied by 'a deliberate denial' that he had ever used the phrase about 'war', and attempted to justify his policy of joint intervention. On 31 December Canning answered by completely disavowing him, ordering him to make this disavowal clear to the Russian, French, and Austrian diplomatic authorities, and concluding with what he called 'a padlock'. 'The instructions which I have therefore now to give your Excellency are comprised in a few short words, *to be quiet!*'¹

This tremendous or, as Strangford termed it, 'unexampled severity of reprimand' has often excited comment. But it is intelligible, if we assume that Canning had received Madame Lieven's message that Russia would not refuse an overture from England. Under these circumstances co-operation with Metternich, to which Strangford had sought to commit him, was not only needless but foolish. Further, as Canning thought the failure of such an intervention certain, the acceptance of Strangford's proposal gave Russia the right to go to war. Even though that proposal was now disavowed, the situation, as Canning pointed out, was no longer the same as it had been before. For this maladroitness attempt to transfer the negotiation to St. Petersburg threatened to bring to naught Canning's promising confidential overtures in London. That is the explanation of the 'thundering castigation with which you have been belaboured by Busby before the whole diplomatic sixth form'. From this moment the 'padlocked' Strangford was of no importance, but further negotiations in London were necessarily delayed by this, and another, event.

A new factor had also arisen to perplex the diplomatists of the world, for on 1 December Alexander died, and the news of

¹ F.O. Russia 181/65, Canning to Strangford, 17, 31 December 1825; *ibid.* 182/2, Strangford to Canning, nos. 5-6, 9 December 1825; no. 4, of 17 January; no. 16, of 4 February. Strangford's denial cannot be accepted. Nesselrode gave Lebzeltern 'his word' that Strangford had used the phrase, and this was accepted by both Lebzeltern and Metternich: see Wiener Staats-Archiv, Berichte aus Russland, Bd. 9, Lebzeltern to Metternich, 4 February 1826; and some notes of Metternich (written later in 1827) on a dispatch of Canning to Strangford of 1 December 1825 show clearly he thought Strangford had used the phrase (*ibid.* Russland, Bd. 8).

his death came to England on the 9th. A period of revolution and conspiracy ensued in Russia, and it was not until the end of December that Tsar Nicholas was firmly seated on the throne. The advent of a new ruler greatly added to Canning's perplexities, for he had just got on good terms with the old. He could not divine Nicholas's policy, though he shrewdly guessed that he would pursue a 'more purely Russian policy' than that of Alexander and hoped that he might be less warlike, for he was now convinced that Alexander 'in a spirit of gloomy abstraction' had 'resolved upon immediate war'. But the changed situation was a stimulus to a statesman so nimble and supple as Canning. Even Madame Lieven cannot refrain from expressing her admiration at his resource. 'Old people . . . hesitated to put confidence in his [Alexander's] successor. It was not the same with Canning. It was just the novelty of the person and the situation which nerved his mind and made him imagine and hope for a revival of a policy more conformable to his views.' His ideas were different from those of his colleagues and, though he did not wish to imperil the Turkish Empire, 'he had some thought of freeing Greece'. Here the lady's compliments end.

It is well to remark here, and the remark applies to all phases of this great question, that Canning was not at all sincere. He did not value so much the emancipation of Greece; what he valued was the being able to avail himself of this question as a lever to unite himself to us, and especially to keep us more certainly detached from Austria. I will even let myself say that his most powerful minor motive was the pleasure of circumventing Metternich.¹

In this spirit, half of friendship, half of suspicion, the Lievens and Canning laboured together for a *rapprochement* in January. Canning only saw Lieven once apparently in December, and that was over the Strangford affair (17 December) and was doubtless confined to that sole issue.² But on 12 January Canning informed Lieven that he intended to send the duke of Wellington on a complimentary mission to St. Petersburg to congratulate the new tsar. 'The Duke not only accepted but *jumped* at the proposal.' 'Lieven received the information first with astonishment, and then *literally* with tears of pleasure', for it was a proof that the confidences of October were bearing fruit. Canning's explanation of the choice of Wellington was that, as 'the ultra system' was 'dissolved', 'the elements of that

¹ Lieven Diary.

² He says he did not see him at all between 1 December and 12 January. Canning to Granville, 13 January 1826, in Stapleton, *George Canning and his Times*, p. 471. This is a slip. He probably means he said nothing to him about Greece. As he had heard of Alexander's death on 9 December, he had every reason for not wishing to hurry matters for the moment.

system' (i. e. Wellington and Russia) 'have become agreeable for good purposes. I hope to save Greece through the agency of the Russian name upon the fears of Turkey without a war, which the Duke of Wellington is the fittest man to deprecate. . . . *De plus*—the Duke of Wellington is the only agent by whom I could suppress and extinguish Strangford.'¹ Canning added he had no fear that 'he will dream in his own head, or put into the autocrat's, any chimera of a New Holy Alliance'. Madame Lieven says Canning's idea was 'bouffonne et grande'; 'besides the salaam [to Nicholas] he [the duke] would have to make an understanding on the question of Greece, he [Canning] would [thus] compromise him and dupe him at the same time—a double pleasure'.² She goes on to say that the duke's absence assured Canning's ascendancy in the cabinet at home, a point that was noticed by other observers, including the duke himself, who took care to avoid the Russian coronation ceremony and return home as quickly as possible.

It is clear that, by mid January, an agreement between the Lievens and Canning was, at any rate, imminent. Madame Lieven says enough to indicate this, and it is probable that the arrangement got into actual working order between 31 January and 2 February, when the Lievens and Canning stayed at Windsor with the king. Madame Lieven states that she brought the king and Canning together, and that the latter was grateful for her display of social tact. The king's letter to Nicholas is dated 7 February and the instructions for Wellington 10 February, so that any private arrangement with the Lievens must have been come to before those dates. That there was some understanding is evident, for, in his own abstract, Canning lays stress on the alteration in Russia's disposition, shown in the *communications* with Lord Strangford and '*in those of Prince Lieven with Mr. Canning*'.³ There seems no reason to doubt, therefore, that Canning had talked privately to the Lievens about the overture.

Canning's instructions were clearly intended to avert the possibility of war. The duke was to reveal Stratford's instructions to Nesselrode, i. e. the proposed single intervention of England between Russia and the Porte and the Porte and Greece. If that was a failure he was to prepare to renew to Nesselrode that offer of intervention in conjunction with Russia. He was not to admit that a failure, in either case, would confer

¹ Canning to Granville, 13 January 1826, in Stapleton, *George Canning and his Times*, pp. 471–2.

² Lieven Diary.

³ The italicized part is not in Wellington's instructions, but is in Canning's 'Abstract of proceedings of Wellington's Mission to St. Petersburg'. This is in F.O. Greece 32/26.

on Russia the right to make war. He was to defeat any proposal of a renewal of conferences of the five powers by proposing impossible conditions, as, for instance, including the Netherlands as a member of the conference, and insisting on London as the seat of it.

He was, in the case of Turkey's rejection of single British or joint Russo-British intervention, to communicate to Russia England's intention 'to prevent, if necessary by force, the accomplishment of the plan imputed to Ibrahim Pasha', i. e. of depopulating the Morea. He was 'to express the willingness of the British government' to co-operate with Russia in negotiating any arrangement between the Porte and Greece, and 'its readiness to place that arrangement under the guarantee of Russia, jointly with that of Austria, of France, and of Prussia', but not of England. He was to disclaim any idea of territorial aggrandizement by Great Britain or jealousy of Russia. 'In the union of the two Powers the best chance of success was to be found.'

That was Canning's policy, contingent force against Ibrahim, but nowhere else. Wellington found when he arrived that Russia was, for the moment, not occupied with Greece, but with pressing demands, of the nature of an ultimatum, on Turkey for satisfaction as regards the principalities and the Serbian deputies. The position was difficult for him and his remonstrances proved useless, though the ultimatum, thus delivered, did not eventually lead to war.¹ Wellington was, however, much alarmed and, driven from position to position as to the ultimatum, almost forgot about Greece. Canning was much annoyed and, on learning of these manoeuvres, sent off a dispatch which dissected, with veiled irony, Wellington's arguments. It did not reach the duke in time to affect events and, owing to his protests, was eventually withdrawn. But it is of great value as indicating that Canning held that Wellington was not fulfilling the object of his mission, which was, in brief, to minimize other alleged Russian grievancés and to magnify Greek claims on Russia and thereby secure Russo-British joint action.² Probably in fact the whole negotiation would have failed but for the arrival of Lieven in St. Petersburg.³

¹ The Turks accepted *pourparlers* on 25 May and all outstanding difficulties between Russia and the Porte (except the Greek question) were settled in the Convention of Ackerman (6 October 1826).

² See Wellington, *Desp. and Mem.* iii. 290-6, Canning to Wellington, 11 April 1826. The last dispatch he had then received from Wellington was dated 16 March; see *ibid.* pp. 172-96.

³ Canning's 'Abstract' states that the Greek question remained in abeyance 'until the arrival of Prince Lieven, when the Duke of Wellington observed an increasing anxiety in Count Nesselrode, and also in Prince Lieven, upon the subject' (Public Record Office, F.O. Greece 32/26). He confirms the outline of Lieven's argument.

Madame Lieven writes :

He [Canning] relied on us and the vanity of the duke of Wellington to get the Greek question pushed on at St. Petersburg, but always within prudent limits. My husband, summoned by the emperor, arrived at St. Petersburg a few days after the duke [in fact on 21 March, nineteen days after Wellington]. By us the question was presented to the duke in a new light. It was not the revolution that we patronized, we wished to stop the insurrection, to control the movement, we wished to establish in Greece the conservation of order; for it was proved that the Turks were powerless, that we desired a regular state of things, a hierarchical discipline, all of which sounded well in the ears of the duke of Wellington. He entered under full sail into this order of ideas, and on 4 April he signed at St. Petersburg with the count de Nesselrode and M. de Lieven the first protocol which prepared for the emancipation of Greece. Canning, when he received this document, was not quite sure whether to congratulate himself on a success or to complain of a snare, for it had gone much beyond his instructions and his wishes.¹ England found herself irrevocably engaged. He showed to me naïvely enough his hesitation and even his regret. However, once done, he consoled himself with thinking of the dislike Prince Metternich was going to conceive and of the mystification practised on the duke of Wellington, and he said to me, 'if the duke had been more acute (*fin*) he would have played his cards better on his side'. We were too prudent to laugh.²

Madame Lieven claims the protocol as a victory of Russia over Canning; that was not the view of Villèle, the prime minister of France. He declared that Canning had 'inspired' the protocol (a) because Wellington had been anxious to leave St. Petersburg when Lieven arrived and the protocol was signed three days [in fact a fortnight] afterwards; ³ (b) that Lieven, who returned via Paris, was *inabordable* there, all his concern was with London, his reserve was 'marked and affected'; (c) that Canning awaited the return of Prince Lieven with the keenest impatience; (d) that Canning knew that he could defy Wellington if the duke wished to go back on the protocol. Here a Frenchman, who was really an impartial judge, recorded his

¹ Canning in his 'Abstract' says the duke took care 'to go no further, under any circumstances, in support of the Greeks, than the British Government thought proper' (Public Record Office, F.O. Greece 32/26). The only article to which we know Canning specifically to have objected was the sixth, that relating to guarantee. He described it as 'not very artistically drawn', and thought it unfortunate that Austria and France (and Prussia) were asked to guarantee 'we know not *what*' (8 August 1826, to Granville, Stapleton, *George Canning and his Times*, p. 476).

² Lieven Diary. What Canning appears to mean here is that the duke need not have softened the ultimatum. He did not much mind Russian pressure on the Porte in this respect. See his letter to Granville, Stapleton, *George Canning and his Times*, p. 475.

³ Villèle's views are reported by Apponyi (Wiener Staats-Archiv, Berichte aus Frankreich, Bd. 374, Apponyi to Metternich, 17 January 1827, no. 2, C.).

opinion that the protocol was to the advantage of Canning's policy, and that he got Lieven to cajole Wellington into signing it. There is much to be said for this view. Canning was certainly on very intimate terms with Lieven before he started, and had frequent conferences with Madame Lieven in his absence, when all other visitors, including the duke of York, were excluded from her society. One of the subjects on which he most desired information was the personal character of Nicholas, whom Madame Lieven knew well.¹

That Wellington did not realize how far he had committed his country is proved by all his later conduct. It is true that he was induced to sign a document of which he did not foresee the consequences. But a study of the protocol does not seem to confirm Madame Lieven's view that he went far beyond Canning's instructions.² No clause in it was wholly unforeseen by them, and Russia together with England was most unequivocally pledged (Art. V) 'not' to 'seek in this arrangement, any increase of territory nor any exclusive influence, nor advantage in commerce for their subjects, which shall not be equally attainable by other nations'. The danger of this clause was that it simply depended for its efficacy on the good faith of Russia. In the end she sought to explain it away. But, even at the worst, it was better to make Russia sign such a declaration of disinterestedness than not to do so. There was no clause prescribing the use of force by England and, though Canning had indicated he might stop Ibrahim by force from depopulating the Morea, he hoped to get, and ultimately succeeded in getting, a practical though not formal disavowal of the project by Turkey. That being done he was free from all promise of force. Madame Lieven certainly believed she had entangled Canning with Russia. But Canning had at length made up his mind to be entangled. Russia was likely to make war on her own account. It was better for England to act with her than to remain isolated and powerless. Metternich had failed to restrain Russia by a policy of doing nothing; Canning, therefore, could only restrain her by doing 'something'.

The revolution in diplomacy was a real one. It has been

¹ See his letter to Granville, 4 April 1826, Stapleton, *George Canning and his Times*, p. 472, and Wiener Staats-Archiv, Berichte aus England, 228, Esterházy to Metternich, 3 May 1826.

² A truer view seems to be that of Tsar Nicholas; see Schiemann, *Geschichte Russlands*, ii. 138 and nn. He claimed that he had delivered his ultimatum over the principalities to Turkey, and yet had prevented separate action by Canning over Greece. Canning would, in fact, have been in a very awkward position if the Turks had not accepted the ultimatum, and that is why he did not want to 'soften' it. Nicholas also claimed that he could bring England into line with other allies. This claim was probably not sincere, and in result England broke Russia loose from the Neo-Holy Alliance; cf. Nicholas's explanations to Ferronays in Wiener Staats-Archiv, Russland, Bd. 9 (1826), Lebzeltern to Metternich, 3 April 1826, no. 173.

claimed ultimately as a victory for Russia, but its immediate results were certainly with Canning. He averted war in the East for a time, won Russia to his side, and used her to break up the conference system. In July 1826 Metternich sought to have a new conference in Paris over Portugal, Russia declined to attend as she did not wish to offend England, and even Pozzo di Borgo, 'who had formerly insisted on conferences with unexampled heat', ceased to talk of them. In the Portuguese crisis of December, when Canning sent troops to Lisbon, Russia supported him and intimidated Spain. For the first time since 1820 Russia acted heartily in concert with England in certain important European matters. Metternich was detached and isolated. Finally France was separated from Austria and induced to sign the Treaty of London of 6 July 1827, which strengthened the protocol by definitely pledging the signatories to use force to compel Greeks and Turks to accept an armistice. That was a further commitment. But until Canning's death Russian support gave him a lever of influence in Europe which he had never before enjoyed. That it tended to forcible intervention in Greece is true, but Canning seems to have made up his mind that that was sooner or later inevitable, and that the association of England with Russia would delay its application and narrow its consequences.

It remains therefore to estimate the value of Madame Lieven's Diary and the importance of her 'great secret'. Strictly speaking, hers is not a diary but a finished essay written evidently some years after the events, as she speaks of Goderich as 'to-day Lord Ripon', and he was not created till 1833. She tends to exalt her own share in the drama. For instance, she leaves out the fact that Lieven had indulged in hints to Canning in June before her arrival from St. Petersburg, and omits to mention the circular dispatch of 18 August by which Alexander broke with Metternich. Again, the whole account of her cajolery of George IV and her reconciliation of Canning to him is really a mistake. The surrender of George IV to Canning was achieved before Madame Lieven could have had time to affect it, for she does not claim to have done anything before leaving England.¹ Her picturesque account of one dinner at the 'Cottage' or 'Lodge' at Windsor (of which she omits the date), but at which she professes to have reconciled Canning to the king and discomfited the dukes of Wellington and Devonshire, seems to be either

¹ Before 13 October George IV had finally surrendered. 'The King has of late directed Münster to communicate to me all "the Hanoverian correspondence". *Comprenez-vous?*' (Canning to Granville, 13 October 1825, Stapleton, *Correspondence of Canning*, i. 298). Madame Lieven saw the king on 17 October, the first time since her return.

a fiction or a mixture of two separate dinner-parties.¹ Her services may have been useful in smoothing Canning's progress with the king, but they can only have completed a victory already won. The incident seems in fact to refer to a later period, either January or June 1826.²

That she carried a message too important to be committed to paper is proved from the contemporary evidence both of Lieven and Nesselrode, the latter describing her as 'a living dispatch'. Her conversations with Nesselrode and Alexander seem to be faithful records, and there are several curious little touches attesting their authenticity.³ It is indeed unlikely that she could have forgotten their substance in view of their remarkable character, whereas her memory may well have played her tricks about other and later details, such as the dates of her interviews with Canning. The real importance of her 'secret' was the definite certainty she gave to Canning that, if he made overtures to act in concert with Russia over Greece, he would not meet with a rebuff. Hence he could have no hesitation in preferring the Russian to the Austrian or French overtures, and he could afford to wait for a favourable moment. Strangford's blunder made his position difficult by delaying matters in December. But the 'depopulation plan', imputed to Ibrahim Pasha, convinced him, more than anything else, that 'something must be done', and that 'something' implied the ultimate or possible use of force. His power depended on public opinion, and,

¹ The following details are from the *Star*, a paper always well informed about Canning's movements and those of the court:

15 October 1825. Wellington dined with the king at Windsor Lodge.

16-19 October. The Lievens stayed at the Lodge, Canning not there, and the duke of Wellington appears to have departed before they arrived.

27 December. Canning dined with the king.

15-16 January 1826. Canning saw the king, the Lievens not present.

30 January 1826. Canning and Liverpool, &c., dined and Canning slept at the Lodge. The Lievens also dined at the Lodge with the king. This is the first record of Madame Lieven's dining with the king when Canning was present.

31 January 1826. Canning left the Lodge, Wellington was not there between 30 January and 2 February.

According to Madame Lieven's Diary, Canning had never dined with the king until he did so in her presence, and, on the undated occasion when he did, Wellington and Devonshire were there. None of these statements are correct according to the *Star*.

² From an autograph letter of Canning's to Madame Lieven in my possession of 6 June 1826 it is clear that they were then on excellent terms and were accustomed to visit George IV at the Cottage at the same time.

³ For instance, she mentions with surprise that Alexander inquired about Neumann, Esterházy's secretary. She did not know that Neumann had sent to Metternich a report of Canning's remarks attacking the financial probity of Pozzo di Borgo. Alexander was shown this and became very *monté*, and sent a furious remonstrance to Metternich complaining that his underling should attack a man like Pozzo. This fully explains his inquiry. Madame Lieven feared it was for another reason. Neumann had been her confidant in her love intrigue with Metternich in 1819 (see Hanoteau, *Lettres de Metternich à la Comtesse de Lieven*, 1909, p. 317).

as he wrote, 'it may be questioned whether', if this 'were known and believed in this country, it would be possible for us to justify to the country a continued abstinence from all interposition; or whether, if we still so abstained, we could hope hereafter to interpose, with the consent of the country, any effectual resistance to whatever enterprise Russia (alone) might undertake at the impulse, and under the pretext, of so enormous a moral as well as political provocation'.¹ He was too cautious to suggest direct overtures till January, but the 'great secret' told him they would not be refused.

That Canning did not always give his reasons to the Lievens is probable, for it suited him to flatter them and profess to be convinced by other arguments. But it was not they who persuaded, but public opinion which forced him to his diplomatic revolution. In these negotiations Madame Lieven met a subtler diplomatist than herself, whose chief art consisted in making her think she had deceived him. For he was, in fact, taking a line which he conceived to be forced on him by the pressure of events, and facilitated by the 'great secret', while permitting her to attribute his change to the influence of her cajolery. When it comes to the point a diplomatist usually outwits a diarist. The 'great secret' was in fact much more important to Canning than to Russia, for when he heard it he knew that not only had Russia broken with Metternich, but that her co-operation with England could be had at a price. It therefore only became a question as to when he would pay that price and how large it would have to be. That Canning used Lieven later to get Wellington to sign the protocol is probable. But his remarks to Madame Lieven on the subject seem to refer either to the duke's maladroitness in trying to 'soften' the Russian ultimatum to Turkey over the principalities or to the vagueness of the guarantee article. Canning's suppressed dispatch of 11 April to Wellington proves that he thoroughly understood the situation and the dangers of Russian policy, and was determined to get something signed over Greece, and was irritated at the duke's tardiness in the matter.

But the great question still remains. Madame Lieven did bring a verbal message: was it from Alexander and of the kind she describes? The 'great secret' was clearly one which Canning himself could never reveal except perhaps in conversation, and no such record has come down to us. Madame Lieven's evidence is open to some suspicion in view of her inaccuracy in certain details and her deliberate omission of certain others, due to her desire to exalt her own importance. But, on the whole, there seems little doubt that she did bring a message direct from

¹ Wellington, *Desp. and Mem.* iii 92, Instructions to Wellington, 10 February 1826.

the tsar. There are moments in diplomacy, as in war, when everything depends on certainty of information, and this was unquestionably one of them. If Madame Lieven's part was merely limited to establishing a sort of wireless connexion between Alexander and Canning, she would still be entitled to the credit of having been the secret spring in a great diplomatic revolution. And, in days when there were no feminine diplomats, that is glory enough for any woman.¹

HAROLD TEMPERLEY.

¹ On 3 September 1826 the tsar, on the occasion of his coronation, gave to the comte and comtesse de Lieven the titles of Prince and Princess and of Most Serene Highnesses. This looks like a reward for services recently rendered.

One last observation should be made. Canning (see above, p. 67, n. 3) clearly regarded Lieven as having begun the overture (25 October 1825). Owing to Russia's susceptibilities Canning allowed it to be thought later that he had initiated it by sending the duke of Wellington in February 1826. This fact is undoubted, and Madame Lieven's 'great secret' is the only thing which explains it. For, if Canning knew that some agreement would be reached, it was immaterial to him (though not immaterial to Russia) which side took *le premier pas*.

NOTE

In examining the papers of Sir Donald Mackenzie Wallace recently deposited in the Cambridge University Library, I have come across a bundle entitled 'Notes from the Unpublished Diary of Princess Lieven. April 1910'. These consist of a summary, with some extracts verbally the same, of the material quoted in the other transcript of which I made use, and give a second testimony, if that were wanted, to its authenticity.

H. T.

Notes and Documents

Roger of Salisbury, Regni Angliae Procurator

WHILE collecting material about the history of the office of justiciar of England I came upon the writ printed below. It is valuable because it is the earliest extant original document issued by the justiciar or chief officer of the king in his official capacity, and because it gives this officer a contemporary and formal style. In this writ, presumably executed by a royal clerk under Roger's own direction, the bishop is called 'regni Angliae procurator'. The writ is as remarkable in matter as in form. It grants to the abbot and monks of Reading freedom from all burdens on their land, and also all royal rights in their land of Reading, Cholsey, and Thatcham, in Berkshire, and Leominster, in Herefordshire. Such a grant at this date would more naturally have been expressed in a charter issued by the king himself. Apparently the monks of Reading thought the same, for the Reading Cartularies contain a long charter purporting to be a formal grant made in 1125 by King Henry to Reading Abbey.¹ The authenticity of this charter is worse than doubtful.

The first abbot of Reading had been appointed in April 1123. Between the spring of 1123 and the autumn of 1126 the king was out of England. The present writ was probably issued between these limits of date. It is definite evidence that in the reign of Henry I, as in the late twelfth and early thirteenth centuries, the king, being absent from the country, sent his writ to the procurator or justiciar, who issued a writ in his own name ordering the fulfilment of the king's commands.

DORIS MARY STENTON.

Brit. Mus. Add. Chart. 19575.

Rogerius episcopus Saresburiensis . sub domino nostro rege Henrico . regni Anglię procurator . Archiepiscopis . Episcopis . Abbatibus . Comitibus . Vicecomitibus . & omnibus fidelibus . & ministris regis . Salutem. Sciatis quia rex & dominus noster . H. hanc libertatem abbatię Redingensi dedit . & decreto firmavit . ut nulla persona parua uel magna per debitum seu per consuetudinem . aut per uiolentiam . aliquid ab hominibus . &

¹ Printed in *Monasticon Anglicanum*, iv. 40-1.

terris . & possessione Redingensis monasterii exigat . non equitationem . siue expeditionem non pontium uel castrorum ædificationem . non uehicula . non summagia . non uectigalia . non nauigia . non opera . non tributa . non xenia . sed habeant abbas & monachi Redingenses in tota possessione sua . in Redingia scilicet & Cealseia . & Leoministria . & Thacheham . & in his quę habent præcedentium maneriorum¹ appendiciis . omnem iusticiam . & quicquid rex in eisdem habuit . de geldis . & redditibus . & seruitiis . & consuetudinibus . de assaltu . de sanguinis effusione . & pacis infractione quantum ad regiam pertinet potestatem . de furtis & murdris . & hamsochna . & de omnibus forisfactis. Sintque abbatis & monachorum eius . sicut rex dedit . & teneri mandauit . de præfata possessione Reding' tam de hominibus suis quam & de alienis in ea forisfacientibus . uel ibi cum forisfacto interceptis . hundreda & placita omnia cum socca & sacca . & toll . & theam . & infangentheof . & hutfangentheof . in omnibus locis . cum omnibus causis quę sunt . & esse possunt. Quod si abbas & monachi . eorumue ministri . de prædictis forisfactis iusticiam facere neglexerint ? rex fieri compellat . ita ut in nullo prefatam libertatem seu redditus Redingensis ecclesię minuat.¹ Veniantque ad hundreda de Redingia & de Leoministria homines circumiacentium maneriorum secundum consuetudinem precedentium temporum. Et sint monachi Reding' . & familia eorum . & res ipsorum absoluti per totam Angliam ab omni theloneo & alia qualibet consuetudine in terris & aquis & siluis . in uiis & semitis . in transitibus pontium & portuum maris. Deditque² rex monetam & unum monetarium abbati & monachis apud Redingiam. Volo itaque & præcipio ut libere & quiete & honorifice sicut rex præcipit per cartam suam . abbas & monachi Redingenses omnia iu[ra] teneant Apud West-monasterium . per breue Regis.

[Slit for seal tag.]

[Endorsed :] Rogerii episcopi Sar' de libertate Radingensis ecclesię [twelfth century].

A New Fragment of the Inquest of Sheriffs (1170)

THE document which is here printed has very recently been discovered at the Public Record Office in the course of examining a quantity of illegible and fragmentary material forming part of the Miscellanea of the Chancery, and for the most part derived from the old Record Office at the Tower. It is a piece of parchment $22\frac{1}{2}'' \times 9\frac{1}{2}''$, and seems to have been the last membrane of a roll or file, probably the latter.³ The return occupies the first seven inches of the document and the address to the king is by itself about six inches from the foot. On my attention being called to it by Mr. Charles Johnson, who transcribed it, I recognized it as a fragment of the lost Inquest of Sheriffs, and at Mr. Johnson's request have prefixed to it a brief note.

¹ The ink has faded in this word.

² The last three letters are interlined.

³ It has been classed Chancery Miscellanea 34/7.

The identification of the membrane as the end of the return of the western commissioners in 1170 rests on (1) the reference in the opening paragraph to the four years of Henry II's absence abroad (1166–70), to which period the inquiry was restricted by their instructions;¹ (2) the careful record of the financial proceedings of the sheriff, William de Beauchamp, who was one of those removed from office by the king before the inquest was taken; (3) the note that certain payments to the sheriff were made 'per iudicium', which complies with the instruction that a record should be kept whether such payments were taken 'per iudicium vel sine iudicio'; (4) the inclusion of a record of the exact amount paid by Worcester to the aid collected in 1167–8 for the marriage of the king's eldest daughter, as to which the commissioners had a special instruction.

This is not the first fragment of the great inquest of 1170 which has been found at the Record Office. Towards the end of the last century a number of parchment scraps relating to East Anglia were discovered,² and identified by Dr. J. H. Round as fragments of original returns to that inquest.³ It is worth noting that in this case too the bottom membranes of the files are endorsed with the name of the area to which they relate.⁴

Comparison of the contents of the newly discovered fragment with those of the older ones illustrates the wide scope of the inquiry. With the exception* of the final pledges, which probably refer to complaints on the lost part of the file, it deals exclusively with payments made by the city or, as it is called throughout, borough of Worcester, and chiefly those to the sheriff. The surviving returns from Norfolk and Suffolk, on the other hand, deal with payments made to feudal lords (under clause iii of the commission); the borough of (Castle) Rising only occurs as having helped its lord, the earl of Arundel, in his difficulties with the Jews, and but one payment to the sheriff is recorded.⁵

In the comparative dearth of information about the internal condition of the greater English boroughs under Henry II, the light thrown upon Worcester by this fragment is especially welcome. The most important fact which is disclosed is that in the four years in question the sheriff on an average took from the burgesses a lump sum which was almost double the amount (£24) at which their farm was fixed nearly twenty years later when they secured the right to pay it direct into the Exchequer. The lower

¹ Stubbs, *Select Charters* (ed. Davis), p. 175.

² K. R. Serjeanties, &c. (formerly known as K. R. Feudal Service). Printed in *Red Book of Exchequer*, ed. Hall, ii, cclxvii–cclxxxi.

³ *Commune of London*, pp. 125 ff.

⁴ *Red Book*, ccix, n.

⁵ Mr. Hall, taking too narrow a view of the powers of the commissioners, refused to accept these returns as belonging to the Inquest of Sheriffs (*ibid.* cc–ccxi).

sum was almost exactly what had been paid in 1086. Yet no special complaint is made against Beauchamp's heavy levies. Their expressed grievances were a castle-guard service which had not been exacted (they alleged) under Henry I and the exemption of no less than 100 burgages belonging to Beauchamp from all rates and taxes.

From the record of certain payments, fines, and amercements, a present to the sheriff on his daughter's marriage and the cost of conveying prisoners and the king's moneys, which were not included in the lump sum already mentioned, we learn the names of the four ancient wards of the town upon which they were charged. Foregate (misspelt Fordgate) and Sudbury (the South bury) are names still in use. Eport and Bridiport were quays on the river. Eport Street is now Newport Street. In the sixteenth century Bridiport or Brudeport was called Burport.¹

The names of two reeves of the borough, Edgar Priest and Edwin, both purely English, are preserved in the fragment.

A reminder that the inquiry of 1170 was by no means confined to the doings of the sheriffs and other royal officials is given by Worcester's complaint that its vessels going to Bristol and Ireland were subjected to unjust customs as they passed by Gloucester.

From the address to the king it appears that William earl of Gloucester was the head of the western commissioners (*iusticiarii*).

JAMES TAIT.

Chancery Miscellanea 34/7.

¶ Burgus Wirecestrie in duobus primis annis reddidit vicecomiti quoque anno .xlii. li. Et in duobus ultimis annis quoque anno .i. li. Et ex his libris habet / Episcopus Wigorniensis .viii. li. quoque anno in redditu.

De Warda de Bridiport' et Eport' et de ultra Sabrinam; Edwinus prepositus dedit Willelmo de Bellocampo quando dedit filiam suam tres aureos et eidem .i. palefridum de .x. s.

De eadem Warda dedit Edwinus prepositus .viii. li. et .xxii. d. per iudicium. Et dedit ad prisiones ducendos et thesaurum Regis .xxvi. s.

¶ De Magna Warda dedit eidem prepositus .xxv. s. .iiii. d. per iudicium. Et ad prisiones ducendos .xx. s. xi. d.

De Warda de Fordgeta. dedit eidem .xlii. s. et .iiii. d. per iudicium. Et ad prisiones et thesaurum ducendos .xxi. s.

De Warda de Sudebir'. dedit eidem prepositus .c. et .viii. s. per iudicium. Et ad prisiones et thesaurum ducendos .xi. s.

Burgenses Regis de tota villata dederunt ad maritandam filiam Regis .xl. m. Et ad tunc² .x. li. et .ix. s. et .iiii. d. et ob. Idem Burgenses

¹ Habington's 'Collections for the City of Worcester' in Nash, *History of Worcester-shire*, ii, app. [xcvi].

² On re-examination, Mr. Johnson thinks that there is a sign of abbreviation over the 'c'. The meaning is obscure. Is it possible that *tunc* (if that is the correct

dederunt vicecomiti .iii. m. et .ii. modios vini /sponte. Burgenses queruntur quod faciunt unam wardam in castello Wigornie iniuste et que non erat in tempore Regis Henrici. Que custavit eis .xxiv. li. et .vi. s. et .viii. d.

Item Burgenses dederunt Edwino preposito suo .vii. m. et .ii. s. de auxilio firme sue sponte. ¶ Idem Burgenses conqueruntur quod Willelmus de Bellocampo habet large .c. burgagia in villa et /nichil geldant neque aliquam consuetudinem faciunt cum Burgo.

In Sabrina mersus fuit Eluredus Bere et calumpniatur usurarius. Et minister Willelmi de Bellocampo habuit de catallis .xlvi. s. et ob.

¶ Edgar sacerdos dum fuit in prepositura cepit de haim¹ .x. s. iniuste.

¶ Burgenses Wigornie conqueruntur quod prepositus Glocestrie capit de navibus suis euntibus apud Bristoliam et Irland' insolitas et indebitas consuetudines ad gravamen magnum Burgi Wigornie.

¶ Isti plegiaverunt Aelardum presbyterum de Poiwich'. Gaufridus Blake. Wido de Mora. Willelmus frater Episcopi. Walterus de Baldehale.

¶ Isti plegiaverunt Aluredum prepositum de Poiwich'. Philippus de Pennesham. Ricardus Brulle.

¶ Ede de Cliuelde queritur quod vir eius Robertus Walensis vulneratus est a Iohanne fratre eiusdem Roberti et Hugo Puhere dominus illorum cepit de Iohanne salvos plegios habere ad rectum.

Domino suo Karissimo H. illustri Regi Anglorum et Duci Normannorum et comiti Andegavorum Willelmus comes Glocestrie et alii iusticiarii. salutem et fidele servicium.

[Endorsed]

Wirecestresira.

The 'Rageman' and Bills in Eyre

THE extract printed below from a Cheshire plea roll of 1288 throws some further light upon the subject of recent researches by Miss Cam, who has shown² that 'Rageman' was the name given to the inquests taken at the general eyres in 1274-5 which resulted in the returns now known as the Hundred Rolls. This instance of the use of the name 'rageman' is not noticed by her. We take it from a roll of pleas of the forest and other pleas in the eyre held at Macclesfield in Cheshire, before Richard de Mascy, *locum tenens* of Reginald de Grey, justiciar of Chester, and before Hugh de Cressingham,³ the queen's steward for the forest of Macclesfield, on 4 October 1288.

division of the five strokes) represents the Welsh *tunc*, a commuted food-rent (Seebohm, *Tribal System in Wales*, pp. 158 ff.)? A commuted prise of ale taken by the constable of the castle was replaced in 1227 by an addition of £8 to the farm of the city (*British Borough Charters*, ii. 306).

¹ Or *haun*. Meaning obscure.

² *Oxford Studies in Social and Legal History*, vi. 41.

³ He had been a justice in eyre.

Before we can fully understand it, we must note some facts about the county court of Cheshire in the thirteenth century which are entirely opposed to what has been stated about the county court by modern writers. In the county palatine the court for all pleas was the county court, sitting permanently, every six weeks, at Chester, and presided over, not, as elsewhere, by the sheriff, but by the justiciar, or occasionally (before 1237) by the earl himself. This court was sometimes, as in this document, termed an eyre (*itineracio*), but belied the title, for it did not itinerate, nor was it subject to the invasions of the royal justices, either forest or itinerant, whose attempts to found jurisdiction were successfully resisted on many occasions. The pleas for the forests of Cheshire were also held by the justiciar at Chester, except those of Macclesfield Forest, which were tried at that place. Within Cheshire the county court carried out the functions both of a normal county court elsewhere, and for the earl's pleas of the sword, and for local pleas by writ throughout the hundreds, of a court of record for all pleas by writ. Its competence was unrestricted by any limit of 40s., and it had its own register of original writs which differed from the forms used elsewhere and also ran in the name of the earl. Royal writs and letters close affecting the county were directed to the justiciar and not to the sheriff. It is usually stated that a county court was not a court of record, and that we have no written rolls or records of its proceedings.¹ This may be true of the ordinary county court, but the rolls of the county court of Cheshire, in its extended jurisdiction, are abundant and are the 'placita comitatus Cestrie'.² The justiciar, and not the sheriff, presided over the hundred eyres, held once a year, which were not courts for pleas by writ, although they were courts of record and kept rolls. The so-called Macclesfield eyre of this document was at once an eyre for the forest of Macclesfield and the eyre or 'tourn' of that hundred.

Some of these facts (which we think are for the first time stated in print) were evidently not clearly understood in 1288 by those who had summoned this eyre, and the suitors attending it had been called upon to carry out procedure applicable only to a general eyre proper, held by royal itinerant justices. No such eyre was known in the county palatine, and the demands, after being adjourned as novel and unheard of, were subsequently

¹ See Maitland, *Select Pleas in Manorial Courts* (Selden Soc.), ii. 15; Bolland in *Law Quarterly Review*, January 1920, pp. 58-60, July 1921, p. 311, *The General Eyre*, p. 2, *Year Books* (Selden Soc.), xvi, p. xiii.

² Mr. Hilary Jenkinson's 'Plea Rolls of the Medieval County Courts' (*Cambridge Historical Journal*, i. 103) appeared some time after these notes were written. Much light upon the working of the county court is thrown by the thirteenth-century plea rolls of the palatine county court, a study of which I have in hand.

withdrawn on the grounds that the usages of an eyre in England, as opposed to Cheshire, were inapplicable.¹

The next point to which we wish to draw attention is that at the normal eyre those who claimed liberties were required to prepare their petitions (*byletta*) beforehand, and to produce them at the eyre after 'le rageman' had been proclaimed by the justices. The 'rageman' here must mean, as shown by Miss Cam, the Hundred Rolls, the records of the inquiries into liberties held in 1274-5. These would be read over publicly at the opening of the court, and the justices would have before them the material to check the subsequent petitions which it was necessary to renew at each general eyre. This procedure has hitherto not been made clear.

The document also seems to throw light upon the origin of 'bills in eyre', which has not quite been established. Mr. Bolland finds no statutory authority for their use in place of writs.² Miss Cam considers,³ probably rightly, that the procedure by 'bill in eyre' followed upon the eyre of 1278, which, for the first time, gave power to the justices to hear and determine complaints (*querele*) of injured persons, and she suggests that these *querele* are the cases initiated by bills in eyre from that date, though she does not clinch the connexion with the Hundred Rolls inquiries.⁴ This Cheshire record goes a step further and shows that a 'bill' was the name for the petition for a liberty put forward at the general eyre, and so provides the required link. We suggest that 'bills' were originally the procedure for claims of liberties and franchises only, but as this method was found convenient and popular, it was extended from 1278 onwards as the method of putting forward complaints of the very varied kinds given by Mr. Bolland as examples of bills in eyre.

R. STEWART-BROWN.

Chester Eyre Roll, no. 12, m. 8.

Quia communis consuetudo est in itinere iusticiariorum in regno Anglie quod omnes qui libertates habere clamant coram iusticiariis in itinere eas propon[unt] in bylectis Et dominus Rex ordinavit et precepit quod leges et homines Marchie in quantum de iure . . . poterit confirmentur [*sic*] legi communi,⁵ dictum fuit abbatibus prioribus baronibus militibus et com-

¹ There is no evidence that a Hundred Roll inquest was held in Cheshire. Miss Cam (*loc. cit.* p. 140) notes a commission of 1275, but it is not likely to have sat in Cheshire. The palatine authorities would adopt their own procedure. No roll of the county court between 1262 and 1281 is extant. The *Annales Cestrienses*, p. 102, have an entry, either for 1275 or 1276, 'Prosecutio brevium et statutorum domini regis Edwardi', which may indicate these inquiries.

² *Eyre of Kent*, II. xxvii.

³ *Loc. cit.* p. 137.

⁴ 'Billetta de querelis' are mentioned (*Bills in Eyre* (Selden Soc.), p. xxxvii, n. 1).

⁵ I have not traced any ordinance such as this document suggests.

munitati istius itineris quod propon . . . [resp]ondant per bylectas omnes libertates suas et quibus titulis eas habere clamant etc.

Et predicti abbates priores barones milites et alii de communitate predicta dicunt quod in comitatu Cestrie est [communis] itineracio ad omnia placita coram iusticiario ibidem de sex septimanis in sex septimanas de omnibus placitis per breve tam de istis h[un]dredo et communitate quam de aliis hundredis predicti comitatus et ista itineracio non est communis ad omnia placita quia brevia non [placitantur] in eadem nec alium habet vigorem quam turnus vicecomitis, unde dicunt quod per formam itiner[is] in Anglia non debet procedi in [itineracione] ista, nec bylette de libertatibus non proponuntur communiter in Anglia coram iusticiariis in itinere ad omnia placita donec le Ragem[an] ibidem proponatur, quod hic non posset deduci neque terminari etc. Dicunt etiam quod nunquam hactenus usi sunt bylletas de libertatibus suis in itiner[acione] ista proponere nec ad hoc faciendum nunquam usque nunc erant premuniti et summonicio istius itiner[acionis] fuit tam brevis quod licet super hoc fuissent premuniti non potuissent premissa fecisse competenter. Et petunt quod respectum possint inde habere usque ad proximam itiner[acionem] hic etc. Et quia premissa sunt eis tamquam nova et inaudita in partibus istis concessum est eis etc. [*Margin*] Ad proximam itin[eracionem].

Et postea relaxatum est eis eo quod utantur aliis consuetudinibus hic quam faciunt alibi in Anglia in itinere. [*Margin*] T[erminatur].¹

Charles II and Louis XIV in 1683

THE document published by Professor Middlebush in the last volume of this Review ² does not represent any treaty made between Charles II and Louis XIV in 1683, or in the two preceding years. It is an attempt to state the terms of the treaty made between the two kings prior to the Dutch war of 1672; Dutch and German translations of it had been printed in 1673. Its reappearance in 1683 was due to the whigs. Early in 1673 appeared a pamphlet, *England's Appeal from the Private Cabal at White-Hall, to the Great Council of the Nation in Parliament assembled*, probably written originally by Lisola, who was imperial envoy at Brussels and, from 1672, at the Hague. This pamphlet was translated into Dutch, French, and German; three additional parts appeared in Dutch, and were translated into German. The seven articles of the document published by Mr. Middlebush are printed at pp. 9-10 of part ii in the Dutch version (pp. 182-5 in the German translation). It is there stated that they belong to a treaty made between France

¹ The edge of the roll is damaged. Some of the words in square brackets are supplied from a seventeenth-century transcript of part of the entry by Randle Holme in Harl. MS. 2072, fo. 10.

² *Ante*, xxxviii. 258.

and England in 1667; and that they have only recently been disclosed by a peace-loving lord in disgrace with the king. The first two articles are much fuller than the English version published by Mr. Middlebush.

As to the reappearance of the articles in 1683: Preston, then ambassador at Paris, received his copy from Daniel Petit,¹ who seems to have been secretary to Bevil Skelton, the English resident at Hamburg. Conway received his copy from Skelton, who wrote, on the 9/19 January 1682/3,

Having had a lett^r communicated to me yesterday w^{ch} was writ from the Hague, w^{ch} makes mention of an Alliance lately concluded between his Ma^{tie} & France, I thought fit to send yo^r Lords^p a Copy thereof, & of the Articles of that Treatie, w^{ch} will appeare to yo^r Lords^p to be as malicious as they are falsse, & are contrived & divulged by his Ma^{ties} Enemyes, but you may be assured I was not wanting in Exclaiming against the Author of soe base a Lye.²

Petit's letter establishes definitely that these are the seven articles published by Mr. Middlebush. The seven articles, with the final note that they belonged to a former alliance which had recently been renewed, but without the introductory sentence of the English version, appeared, possibly about this time, in a German pamphlet, *Conditiones der Alliantz zwischen Franckreich und Engelandt*.³ This is not a reprint of the earlier German translation; the articles throughout are identical in substance with those of the English version.

A new Dutch version of the seven articles appeared in 1688. The text includes all the details contained in the 1673 version, but omitted in the English version; but the final note of the English version is omitted, as being out of date. The title is *Extract van Alliantie en Confoederatie, tusschen de Koningen van Vranckrijck en Engelandt, gemaect ten tijde doen de respective Koningen haer tot Calais en Douvren bevonden, om Engelandt en Holland tot Slavernij te brengen*.⁴ This new title first identifies the seven articles with the supposed terms of the Secret Treaty of Dover, Charles II and Louis XIV having been at Dover and Calais simultaneously on only the one occasion. Although it had been suspected as early as 1677⁵ that the treaty between the two kings prior to the Dutch war had been made at Dover, it was only the statements of the Abbé Primi that rendered it possible to make a definite assertion in 1688. The title-page of

¹ *Hist. MSS. Comm., Seventh Report*, Part I (Graham MSS.), p. 389 a, Petit to Tempest (Preston's secretary), 12/22 January 1682/3.

² Brit. Mus. Add. MS. 37984, fo. 212.

³ No date, printer's name, or place of publication; pp. 4.

⁴ No printer's name or place of publication.

⁵ See Grey, *Debates*, iv. 202 (Mr. Powle, 6 March 1676/7).

the *Extract* states that this document comes 'vyt het Cabinet van den Grave van S.' The 50,000 men¹ in article 6 reappear in Martyn's account of the Secret Treaty of Dover, in his *Life of Shaftesbury*.² Martyn also states that Shaftesbury divulged the terms of the secret treaty to the elector of Brandenburg, the duke of Saxony, and other protestant princes of the empire. Martyn may have based his statements on some now lost memoir of Shaftesbury, or they may be an ingenious conjecture derived from one of the printed versions of the seven articles. In the latter part of the year 1673 Shaftesbury might fairly be described as a 'peace-loving lord in disgrace with the king'. He did not know the actual contents of the secret treaty. It cannot be definitely stated that the seven articles originally emanated from him; but it is not by any means impossible, and their reappearance in 1683 almost immediately follows his arrival at Amsterdam in December 1682.

The account of the secret treaty given by the Abbé Primi, in his *Historia della Guerra di Olanda*,³ published in 1682, shows no connexion with the seven articles. Primi mentions Dover as the place where the treaty was made, the part played by the duchess of Orleans, and the conversion of England to Roman Catholicism, points which do not appear in the seven articles; he omits all mention of the number of men to be sent to assist Charles II, of the intrigue to give Louis XIV an opportunity to declare war, and of the partition of the East India Company, the most distinctive features of the seven articles.

It would appear that, in 1683, the seven articles were intended to influence foreign, not English, opinion. The object of the whigs was to convince the Dutch and the elector of Brandenburg that the danger of French aggression was bound up with the cause of liberty in England. This explains the Dutch publication of 1688 and the fact that, while Primi's book was translated after the revolution,⁴ the seven articles were never printed in English. The relations between Charles II and Louis XIV in 1681 and 1682 were the basis of the statement that the former alliance had been renewed; the conduct of Charles might lead the Dutch and the elector to accept the statement, and so to assume an attitude of hostility towards him. That the whig exiles continued similar

¹ The number in the real secret treaty was 6,000.

² Ed. G. W. Cooke, 1836, i. 398. Martyn wrote his book for the fourth earl of Shaftesbury, commencing in 1734. See Christie, *Life of Shaftesbury*, Preface.

³ The account of the secret treaty differs slightly in the French translation of Primi's book, but is no nearer the seven articles. For Preston's part in suppressing Primi's book see *Hist. MSS. Comm., Seventh Report*, Part I (Graham MSS.), pp. 267 b, 269 a, 270 b, 329 b, 333 b, 404 a, b.

⁴ See *State Tracts published in the Reign of William III*, 1705, introduction (from the French translation).

tactics for some time is evident from Preston's letter of 5 October 1683, n.s., from Paris, to Halifax :

The factious English here continue their old arts of making false reports to run, as that a ligue offensive and defensive is made betwixt the King our master and this King : That Monsieur Telladet had lately offered in England the assistance of France to his Majesty by men, or money, or both towards the making of him absolute ; but I need mention no more of these because they harp upon the old thing of fomenting jealousies and fears which have been the chief ferment all along of our unhappy disturbances.¹

E. S. DE BEER.

The Journey of Cornelius Hodges in Senegambia, 1689-90

MUNGO PARK has, until lately, been regarded as the pioneer explorer in the Senegambian hinterland. The document printed below proves, however, that Cornelius Hodges, a servant of the Royal African Company, anticipated his work by more than a century. The motive of his quest was to reach the gold-mines and slave-markets, and thus to enable his company to frustrate the French in their attempt to tap the sources of labour-supply. Disquieting news of French advance had reached the English agent at James Island on the Gambia.² Chambonneau, director-general of the French company, had travelled six hundred miles up the Senegal from the ancient factory of St. Louis to Galam, and had established a factory at Dramanet near the gold-mines of Nettico and near the slave-markets, where Mandingo merchants bought the negroes whom they sold to European traders on the Senegal and Gambia. Chambonneau's *Rapport*, published in 1688, had announced the value of the inland region as a field not only for commercial enterprises but also for territorial expansion and colonization. Hodges, therefore, determined to investigate the trade of the delta-land which divides the upper waters of the Senegal from those of the Gambia. He, like his contemporaries, thought the Senegal and Gambia to be only mouths of the Niger and thus expected to find the confluence of the two rivers.³

The following letter, which he wrote to the court of assistants of the Royal African Company on his return to Port James, besides describing his investigations and opinions, supplies an answer to a question of some historical importance. Hodges

¹ *Hist. MSS. Comm., Seventh Report, Part I* (Graham MSS.), p. 342 a.

² Cultru, R., *Les origines de l'Afrique Occidentale Française : Le Sénégal*, p. 117

³ Records of the Royal African Company, Letter Book 11, p. 65. Letter from Agent Booker to the court, 12 February 1688/9.

attributes the lack of slaves on the northern coast to the fact that the Moors had become the first clients of the negro merchants. This goes far to explain the fact that all the slave-trading companies of European countries preferred to develop their traffic on the Gold Coast rather than in the estuaries of the Senegal and Gambia.

THORA G. STONE.

Records of the Royal African Company, Letter Book 17.

Letter from Cornelius Hodges

James Island [Gambia] Sept. 16th, 1690.

I was desired by Agent Jn^o. Booker to send you an account of my Long Voyage Into Bamboo as Requested and accordingly humbly begg your Hon^{rs}. will give no misconstruction of my poor Endeavours but accept of y^e will and desire I have of giving you all satisfaction possible according to ye meanes of my Capacity in ye following Rude Lines.

March 11th 1689 I departed from James Island in ye Swan Yatch bound up ye River of Gambia and ye 10th of Aprill arrived at Barrowcundy upon a farther Discovery of this River with a sloop drawing 2½ foote water and three boates and 34 men wth neare 1000 barrs¹ Cargoe. But verry soon after my Departure I found ye want of water began to impeed in prosedure, but being in hopes of finding more water farther up I carryed ye Sloop Goods and boats over such places as they wanted water. But after ye continuance of this worke aboute 7 days I found my people were quite tired out by being continually night and day in water so y^t after 78 miles of Prosedure considereng ye greate Risque Run of my Life and your goods should ye People of Cantore² attempt what they had so often threatened w^{ch} was to cutt me off if I attempted to proseed above Barrowcundy, so I took it into consideration, and sent Back ye Sloop goods and 2 Boats with 30 men and remained with a small scift and 3 men to proseed further up. Accordingly with a greate deal of Difficulty in 13 days I got up 148 miles now which all is 20 days 226 miles, but not to be understood but not such miles as Capt Jobson³ made when he makes 900 from James Island to Barrowcundy, the which I could never make to be more than 558 miles.⁴ The 20th day in the evening we had a very greate shower of Raines in so much y^t by the morning it brought ye Freshett⁵ Downe so strong y^t by whet meanes I could use I could not get ye Scift on head.

Now by this time ye vast heate of ye sun, [it] being ye hottest moneth in ye yeare, and continually working in ye water, Had quite tired us out, so y^t I began to proseed Downwards and ye 24th [May] in ye Evening arrived at Barrowcundy. In my Produce upwards I found a continuall course of ye water is downwards and farther up I went ye stronger I found them to Runn, but after ye first showre of Rane they run more like Sluce than a Current w^{ch} indeed was ye Maine Reason of my Suddaine

¹ i.e. bars of iron, the current medium of exchange; each worth 6s. 8d.

² Country lying to the south of the Gambia, often spelt 'Kantor' on early maps.

³ Richard Jobson, *The Golden Trade* (1620).

⁴ Really 257 miles.

i.e. the current.

Returne in my Journey up: After I was past ye confines of Cantore I went on shore to sev^{ll} Townes on both sides and made to ye Kings some small presents w^{ch} they tooke very kindly and begged heartily yt I would Endeavour a conveyance of goods into those parts, seeming very Desirous of Traid. All ye Countreys from Barrowcundy upwards yealds very large quantities of teeth as on ye starboard, or So[uth] side, Cantore, Badjady, Cunnyage, Batchore, Bibo, Tallo, Futa, Lumbo, ye which some part of ts [these] confines is in 5 Dayes Travell of Sarralion,¹ On ye Larboard or N^o side, Wolly, Tanda, and Nyolacain, Nyola ba, Tallo etc. From ye fore-said Countries we have most part of ye Teeth y^t comes Downe ye River by a soart of poor Marcht w^{ch} wants forces to ye Carridge of such as ye Burthens such longe Journeys, ye largest being left in ye woods and there Rotts. In my travelling through Cumbordoo to Bamboo, almost every day, Hunters would come and desire me to b[u]y y^r Teeth, some Tell^s me that they had 4, some 6, some 8, and more buried in ye Woods, which had I had convenience of Carr^{ss} for them, I could have bought att very small price, Now, Indeed, some of those Comesters, butt twice as many Rott in ye woods, the which, in my Judgment, means might be taken to prevent.

June ye 29th after very strong Disputes with ye Mandingo Cheife² and ye overcoming a vast many threats they put me too, upon theire understanding my Designe of travelling to ye gold mines with a greate deale of Difficulty I began to sett forward with 68 men and 2819 barrs cargo. After ye traveling through ye greatest Wood in all ye W^t parts of Africa, ye 14 of July I arrived att a Large branch of ye River of Sannaga³ which is called Cambordo River; for about 80 or 90 miles farther up in this River the People of Cambordoo wash all their gold. At this season of ye yeare ye River semes very spatious but ye Freshett runns not less than 5 or 6 miles an houre. Here with a great deale of Difficulty caused by my Old Enemyes ye Bitcheerreens I got passage to a Town called Danga. Here I found a new addition to my plagues for coming almost starv'd out of ye woods I found ye People yth in as bad a condition so y^t though I would have returned, it was impossible to get provisions to have served me through ye woods. This being noe place to rest in, I sett forward for [?] Dassa and ye 18th arrived there. Now I could get Provisions just to keepe life in and at a very Deare rate. I was forced to take up my aboade until ye 24th August untill ye severity of ye famine was somewhat past, and then sett forward for Bamboo. Ye 26th at night arrived att Yafarra my place of Reside neare Abo^t 12 Miles Distance from ye gold mines of Nettico. After some small time of Reside theire and making p'sents to all ye adjacent kings, I went to take a view of the mines of Nettico, which are now ye Best in all those parts, Discovered in ye yeare 1683 by an old woman digging a sort of Roots to eate called resong, much resembling a Turnip. Now observing as she thought gold dust to stick to one of them fills her lapp with earth of ye same place and went home and washed it, and found she was not mistaken; and accordingly shows ye gold she had washed to her husband, he being King of Nettico. He accordingly discovers it to ye People of ye Countrey and Encouraged y^m

¹ Sierra Leone.² Reading doubtful.³ Senegal.

to begin to work. Ye first, second and third yeares it answered their expectations Reasonable well but ye fourth and fiveth Inriched ye country according to Negroes Riches and just supplied them with money enough to victale and Cloathe themselves at a Deare Rate and such as had families to purchase some 5, some 10, some 15 slaves each, which is great riches according to ye negro. Ye 6th and 7th yeares ye famine has made such a Distruction in ye Countrey y^t it has, besides Impoverishing them, Left ye Countrey almost Desolate for want of Sustenance. They have not been able to work in ye mines which has proved ye Rewin of my Voyage, for had I found gold Enough with them to have carried off the Cargoe I carried up, I doubt not but It would have given sattisfaction for ye first attempt. The gold ye Jaha¹ and Lundoo¹ merchants drew out of these parts before ye Famine at Cambordoo Commanna and Bamboo, I cannot adjudge to be Less Annually than 1000 oz, besides what ye adjacent countreys who Esteemes gold so much as almost to adore. It draws for Cloaths Corne and Cattle att unreasonable rates. The manner and reasons for the merchants purchasing Gold and carrying it unto Ye Moores Countrey as they doe are these following.

In ye first place, It is to be understood y^t Marchants and Bitcheereen Esteem Nothing Riches more than slaves and Cows. I doubt not but yo^r Hon^{rs} are sencible ye quantity of slaves yt. are brought down annually by them are considerable, but we never find y^t in a Thousand they [bring] either woman boy or girle but in generall men slaves² Such as they know not what to do withall, either through stubbornness or feare of their Run^s, Otherwise than to bring them to us to sell, for the which, having Received goods, [they] return[ed] up through the countrey of Cumbordoo Commanna and Bamboo where they purchase gold as being light and safe to carry and the most esteemed of any thing at Tarra, where they carry it to purchase Slaves; men slaves, which they purchase for sale, they buy for one ounce. Boys and female slaves, which is for their own use 2 ounces and sometimes more according to their fixtures.

A farther Reason is this. Such as carry any European goods pay such customs both by the way and at Tarra, y^t Though they buy there slaves very cheape yett they find [they] turne to a very small acco^{tt}.

Still another inconvenience for them with European goods is this, before they can purchase slaves they must turne their goods into Cloathes³ and these Cloathes purchase Salt of ye Moores, who bring it above 1100 miles on Camells and will Truck it for no oth^r soart of commodities then Cloathes, Gold and Slaves. After having purchased salt they truck it for slaves, w^{ch} is ye Reason y^t many times before they can dispatch ye goods of 4 or 5 slaves y^t it costs y^m $\frac{1}{2}$ as much for Lodging and Provisions. But it goes with 500 ozs of gold, pays no customes and may turne it into what commodity he pleaseth, In less yⁿ two Dayes If he pleaseth. Several

¹ Reading doubtful.

² It appears from the African Company's books that the majority of slaves carried down to the Gambia factories were men; which naturally pleased the West Indian planters.

³ Probably European clothes, and English cloth which the company sent in large consignments to the Gambia.

other Reasons There is for Their transportation of Gold into ye Moors Countrey, w^{ch} would be too Troublesome to Incert here.

Hon^{ble} Sirs, I feare I have been Trubblesome which makes me willing to be as consise as possible. Cannot but think a farther short description of ye Natives and ye Countrey will be as necessary as what has bin already written—viz. The People of Cumbordoo, Commanno, and Bamboo are under very Little or no Government, therefore very Little Good [is] to be expected of them, for almost every Towne though but 6 houses has its King who acts and does either good or evill as it pleases him, and as far as his small power goes, but for anything evill they very rarely want assiste Except where they suspect a force y^t in part may be able to repell y^m. In short they are very apt for any Rougery and Certainly ye greatest Thieves y^t I ever was amongst, w^{ch} causes so greate a dread of y^m in y^e Bitchereens and Marchants y^t they very rairely durst give them any ill-advice concerning me, but weare they did, I was forced Always to Observe to make presents to p[']vent mischiefe, but when they found ye Bambooians aptnesse to mischiefe not to answer y^r mallice the[y] proceeded to another course which is as followeth.

After I had been some time in ye Countrey notwithstanding [? understanding] yt a greate part of ye Golde of those parts was conveyed over ye River of Sannaga into ye Moores Countrey to Tarra which I know to be the only mart for slaves in all those western parts of Affrica, I fitted 13 men with a reasonable cargoe and sent them to the Forest Tarra, It being better yⁿ 300 miles East North East from Yafarra, to make Inspection into y^e countrey, if I mought be satisfied of ye way of disposall of ye gold and purchasing ye slaves from thence. After passing a great many difficulties they arrived, where they found ye place to be built with Stone and verry neare as bigg as ye City of London with ye walls. Notwithstanding in 3 days after y^r arrivall, ye Moores came with neare 40,000 horsemen and camells to Lay seige to It. Ye Emperour Drew his forces up and incamped without ye towne to receive y^m there. Now my people having a very kind reception att their arrivall by the Emperor, found they could doe noe Less than to draw out to his assistance and It pleased God to give y^m such good success, they being all very good firemen, y^t ye Emperor attributed ye victory and safeguard of his countrey wholly to Mahamit and y^m In so much y^t he was very Desirous of seeing me and accordingly dispatccht back some of my People with a very fine Barbary Horse and 2 camells to carry me and my Provisions. Now ye Famine having almost frustrated all Hopes of any food in those parts made [me] somewhat ye more willing to goe, and accordingly ye 9th January I sett forward.

Now ye Bitchereens of Cadjada began to play their parts Bravely saying that since I was not satisfied with understanding ye Gold Trade, but y^t I must make Inspection into ye Slave trade, I should pay dearly for my Experience. Before I could cross ye River of Sanaga which is about 90 miles from Yafarra, neare N.E. ye place where I crossed over called Canjure some 6 or 7 miles below ye Falls, they had raised forces and besett me 3 times to destroy me. But it pleased God otherwise, so I crossed ye River and gott to a Towne called Loopoor some 15 miles on

ye other side, where no sooner was I arrived, but I found myselve besett by neare 400 armed men. After some small Dispute, having besides myselve but 12 hands, I tooke it into consideration and thought it better by loosing some to save the rest yⁿ to loose all. So desired to know what their demand was. In generall they answered My Life for Dairing to attempt a passage through ye countrey, for it was never known that ever any white man ever did ye like and I should pay dearly for my Bouldness. Accordingly endeavoured to seize me but still it pleased God to protect me and order it otherwise, for 3 or 4 Mahamittan priests being touched with a desire of Doeing Good, with a greate deale of Difficulty appeased ye Tumult somewhat. Notwithstanding they forced from me and my People all ye Returns from Tarra, a Large quantity of goods as per my Bamboo account,¹ and for noe other reason yⁿ that they were sett to work by ye Bitcheereen of Cadjada to kill me, but if they spared my life they thought I had no reason to grumble att theire taking the goods which was all the satisfaction I could have from them there. So finding, though by chance, I mought gett safe to Tarra yett I found it impossible to get safe back for as yett I had not gott [to] ye Emperour's dominions. So upon a farther consideration, thought it more discreet to retorne with what they left me yⁿ to proceed and nevere retorne.

Soe ye next morning I began my journey back and by noone crossed ye River of Sannaga here called ye Black Sea. Being come into this place I thinke it requisitte to give Your Hon^{rs} a short account how ye French manage affaires here. This River is one of the most delightful Spatiousest considering how high it runs yt ever I have seene, but att noe time navigable soe high except in ye m^o of August and sune part of September. Though unknown to ye French there is several fine stretches y^t a Vessell mought ride all ye yeare long in. For this 4 yeares last past ye French with a greate deale of trouble and vast expense in Customs has come up to a port within 20 miles of Canjure called Darrimane² Though they have come with two vessells, as Last yeare, in 6 or 7 days have despatched and returned but give the same prices or very neare what we give att Toll Free. The French if once they get a true understanding of ye Trade of these parts may with a greate deale of Ease frustrate us of ye greatest part of our trade for slaves and raise thrise the quantity y^t we doe in Gambia. Theire vessells come within 90 miles of ye Mines of Nettico but there is such mortal enmity between ye people of Bamboo and those of Cadjada y^t they goe not unto one of ye others countrey without it be to murder and steele so that there is not any feare of their driving any over great gold trade as yet, but doubtless when they come to a true understanding of those parts, lett it cost what it will, they will procure a free passage for traders.

After my arrival at Bamboo, I found it in a Deplorable Condition and to be as bad for me as any of ye [? Natives], for Provisions was not to be had for money so yt before I could get safely out of ye Countrey, I had lived 5 m[onths] on wild Fruittes, Roots such as I could gett in ye woods, and never nearer starving in all my Life, Some of my People dying of

¹ This cannot be traced among the papers of the Royal African Company.

² Dramanet.

hunger and the natives dayly. Though a forested countrey, Cumbordoo, Commanna, and Bamboo are naturally somewhat inclined to Barrenness, but much more by the ill-mannuridge and Laziness of the people, for were they otherwise, having a countrey so abounding with Riches, I should think they mought be furnished with Provisions and other necessaries enough to supply yer wants though they mannured not the land.

I am shure were it in Europe they mought for ye 20th part of their getting. I find not but that ye surface of ye earth yealds more in proportion yⁿ these mines for any noated place where gold is. I doe not find they can well take amiss either gravele or earth, but y^t if they washed it, they should find gold more or less and these mines is noe otherwise, for ye veines is so uncertaine but I have knowne y^t $\frac{1}{2}$ cwt. of earth of a veine has yielded 10 Angles¹ or $\frac{1}{8}$ of an oz.

After ye Raines coming in and y^t I had gott my People together and a faire oportunity of Drawing off] after being 3 times poysned, almost starved, and an innumerable many other dangers yt it pleased God to preserve me from, ye 17th June I sett forward and ye 4th July arived, praise be to God, att Barrowcundy.

Hon^{ble} Sirs, since my beginning those Rough but well meant Lines, It has beene with two feares ye one of semeing Impertinent and ye other of not giving satisfaction, but if I have offended in either upon my Knowledge thereof, for ye first I shall be most Ready humbly to begg pardon, and for ye second, be allwaies Ready to indeavour It to ye utmost of ye pow^r of

Your Hon^{rs} most humble

Servant to Command

CORNELIUS HODGES.

The Irish Free Trade Agitation of 1779

Part II²

Opinion of John Foster

7th July 1779

That the Common Strength, Wealth and Commerce of both Kingdoms require new, speedy and effectual Sources of Wealth to be opened to this Country, and that it is the Interest of Britain either considered separately or as the Head of the British Empire to open those Sources by a Removal of all Restrictions on our Trades.

First to consider her Interest separately, she received Annually from this Country Remittances to the Amount of six or £700,000 at least for Absentees, Mortgages, Government Annuities and other extra-commercial Purposes. These Remittances are supported only by the Balance of our General Trade. When that Balance ceases they will soon cease, for our whole Specie, the only Means which would then be left of paying them, would not be sufficient to answer them two Years. And this Kingdom is peculiarly circumstanced in their Respect. The first Profits of our Com-

¹ Angels.

² For Part I see *ante*, xxxviii. 564. The documents are contributed by Dr. George O'Brien.

merce going to pay them, we so far trade for the enrichment of Great Britain, not of ourselves, and tho' other Nations may be said not to decline if their Balance of Trade be even, yet Ireland must decline if she has not a constant Profit to the Amount of those Remittances; They oblige our Commerce to be ever on the Stretch, and one, two or three Branches of Trade will not answer, a total Freedom must be given, and we cannot hope that any Thing short of that will be effectual.

But further, the Returns from Time to Time laid before the British Parliament shew that Ireland has for many Years until the last, taken British Exports Annually to the value of two Millions, and those mostly manufactured to their fullest State. They also shew that those two Millions were before the American Troubles near one seventh of all Britain's annual Exports. Ireland was to her in point of Market as $1/7$ of the whole Globe, and our proportional Consequence in her Trade must be increased, since the suspension of the American Market, which with the West Indies and Africa took Yearly nearly six Millions. America and Ireland then received half her Exports, America is lost as a Market and it is the more incumbent on her to provide that the Markets of Ireland be not lost likewise.

And lost it must be if the Restrictions on our Trade continue, for when the only Means left us of acquiring Wealth were in respect of the Provision Trade rendered ineffectual by a three Years Embargo, and in respect of the Linens checked by the Disturbances in America, no other Sources of Wealth being open, our Funds to pay for Imports failed, and Great Britain felt her Exports hither diminished in the last Year to the value of £600,000:— as some Accounts I have seen from thence say, and they will probably fall near a Million this Year. Those Restrictions have not only *thus* lessened her Exports hither but they have lessened and will continue to lessen them by an Effect very opposite to their Intentions which may probably continue long after our Distress may be removed. An Effect which has this uncommon Tendency that in proportion as it relieves Us it diminishes the Trade of Britain. The Effect I mean, is, the forcing this Nation to adopt the only means of Relief in its own Power, that of giving its own Market to its own Manufactures, and substituting the Home Consumption which was before mostly supplied by Britain in the stead of those Foreign Markets which it would have tried to have found had its Ports been open. Strong Attachment to Britain, and a Habit and Preference of her Manufactures hindered Ireland from ever thinking of that Measure until the Necessity of giving Work to her starving Manufacturers enforced it. Associations have since hurried and extended what want of Money to send abroad would gradually have occasioned, and thus Great Britain to guard against the Speculative and ill-grounded Fear of our lessening her foreign Markets has actually lost and is likely to lose more of the best Market she had in the World. No Nation except America took so much of her Exports as this Island whose Ports she shuts and whose Hands she denies Work to.

And here the rising Consequence to her of the Irish Market (before the American Troubles and it must be greater since) deserves to be particularly pointed out.

The Value of the Exports of Britain Yearly to her four greatest Markets, except America. Viz.

	<i>At an average of eight years to Christmas 1765.</i>	<i>At an average of eight years to Christmas 1773.</i>	<i>Decrease in the later period.</i>	<i>Increase in the later period.</i>
	£	£	£	£
To Holland was	1,949,985	1,733,193	216,792	—
Germany „	1,959,343	1,429,619	529,724	—
Ireland „	1,369,458	2,000,878	—	631,420
Spain „	1,107,608	985,809	121,799	—
			868,315	

Thus it appears not only that the Exports to Ireland have encreased in the later Period nearly as much as those to the other three Countries have decreased, but that Ireland has in that Period taken more British Exports than any Nation in the Universe America excepted. A sure Proof that all the Wealth we acquire centers in Britain and a probable Ground to suppose that if our Trade were free from Restrictions we should not interfere with her Markets abroad equally to what those Restrictions are likely to make us do at Home.

Still further, if any foreign Country annually gave to Britain a Subsidy of six or £700,000 to be paid out of its Gains in Trade. If that same Country did besides take two Millions Yearly of her Manufactures she ought to cherish and support the Trade of that Country, even tho' it should interfere with the local Profits of some part of her Dominions, and such is her Policy now in respect of Germany, whose Linens interfere with Ours, but are still encouraged lest Germany take less of her Manufactures, yet Germany pays no Subsidy by Remittances, nor does Germany take two Millions Yearly of her Exports. Considered then only as Germany, Our Trade ought to be cherished, not restrained, even tho' it should interfere. But when we consider Britain as the Head of the British Empire, that Ireland forms a Part of that Empire, and that our Strength, our Wealth our Commerce is hers, it appears her Interest still more strongly to remove every Obstacle, every Restriction, which prevents our Wealth.

The British Empire lives by its Commerce and by its Naval Power : the Result of that Commerce. It may be considered as one great Merchant, who has the Product and Manufactures of all its Dominions to trade with, such a Merchant would reflect that foreign Markets care not from what part the Commodities come, so they be better and cheaper than from Elsewhere. He would let all his People try those Manufactures they thought they could excell in, and he would look for Rivals only in those Strangers who might resort to the same Markets with himself. But he would think the Man a Fool, who should tell him that any Dominion of his own could be his Rival, and still more so, that he ought to shut the Ports of one of his Districts lest it should sell more Goods, and bring home to him more Wealth than some of his other Farms not supposed to be so advantageously situated. Yet the common Objection and the single one I have heard against the opening our Trade amounts only to an Appre-

hension, that from advantages of Situation, or greater Cheapness of Labour we should run away with the British Trade. To prove this it must appear that Britain alone can and does supply wholly every Foreign Market with those Articles in which we are restrained, the Reverse of which is the Fact, and that a greater Cheapness of Labour here would enable us to undersell her, which is not the Case. But where are we to run away with it to ? only to her own Home, to give it to her Residents, spend it among her People or in the Purchase of their Labours. If then Great Britain not only cannot supply the whole of every Foreign Market, but is losing many of them by the Rivalship of Foreigners, the Question for her to consider, is, whether by letting us with our supposed superior Advantages loose upon those Foreigners, she will endeavour to regain those Markets to the Empire through us, or will relinquish them and her Navigation with them. Such is her present Situation (I believe) in respect of the Levant Trade and Woolens to Portugal, and in any Situation, but more particularly in such a one, it cannot injure the Community that Ireland should undersell Lancashire, more than that Lancashire should undersell Norwich. Were this Kingdom not separated by Sea no Man could doubt a Restriction on her Wealth, to be a Restriction on the Wealth of the Empire equally with any on Lancashire or Norwich and yet the Separation by Sea rather than by a River or Land boundary, so far from authorizing such a Doubt, furnishes an additional Argument for the encrease of our Wealth by Trade, for as that Wealth will center in Britain the reciprocal Navigation which the encrease of it will occasion between the two Kingdoms, must by the increase of Shipping tend most peculiarly to the Advantage of a Dominion whose Consideration in the Scale of Europe, whose very Existence depends on Naval Consequence.

But tho' if Our Ports were opened we should deal in the same Commodities as Britain (and considering our Soil, Climate, and Products to be similar, it would be absurd to suppose any others likely to enrich us) yet Britain need not fear our underselling her, from any greater cheapness of Labour for :

First we have neither the settled Habits of Industry, the knack of Manufacture, or established Credit which attend a Country long confirmed in any particular Trade.

Secondly the smallness of Capital possessed by our People would prevent it. 10 P.Cent upon £20,000: gives £2,000: a Year on which a Man could live in Affluence, provide for his Family, encrease his Stock and have room for Enterprize but 10 P.Cent on £1,000: gives only £100: a Year a Sum scarce sufficient for a scanty Maintenance much less to admit increase of Stock, savings for Children, and room for Enterprize. Our Merchant therefore unable to get more Capital would seek for larger Profit in higher Prices.

Thirdly the Interest of Money is higher in this Kingdom which must have an Effect on Trade.¹

Fourthly our Taxes are as weighty if not weightier than those of Britain, out of all Bounds more so than those of Scotland, and being at all Times

¹ The legal rate in England was 5 per cent. (12 Anne, stat. 2, c. 16, Brit.) and in Ireland 6 per cent. (5 Geo. II, c. 7, Ir.).

oppressive are more severely felt by an Infant than an established Trader. To prove that they are weightier would require too long a Detail of the Taxes and Ability of each Country. In general I may say that Taxes are esteemed Weighty according to the Proportion they bear to the Nation's Wealth and to the Part they take from every Man's Expences for the Publick Service. In this Light Ireland will be found to pay at least $\frac{1}{6}$ of its Annual Products, both of Soil and Industry (some say $\frac{1}{4}$) whereas Britain does not scarce pay $\frac{1}{4}$. Again each Individual here gives at least $\frac{1}{6}$ of his Annual Means of Expence, each Individual there scarce $\frac{1}{4}$ and before the late Taxes only $\frac{1}{6}$. But if we compare the Specie, which is generally allowed to be a true Criterion of the comparative Wealth of Countries. Britain is known to have at least twenty two Million, we have scarce one Million and a Half. Their specie is to Ours as 44 to 3 that is near 15 to 1. Their Taxes therefore in order to bear equally with Ours ought to be fifteen times more than Ours.

Fifthly The Situation of Our Public Expences continually exceeding our Public Revenue, occasions constant Loans which draw Money from Trade and raise Interest. and tho' the same is now the Case with Britain yet foreign Money in part supplies her Loans, and a small Addition to an Interest already too high is more felt than the same Increase to a lower Interest.

This last Reason suggests a further Argument for Britain's immediately opening all the Sources she can give us for Wealth. Our Public Revenues have not at any Time in Peace or War for these last twenty Years equalled the Public Expence. They fell as I am informed in the two last Years near £300,000. If our present Establishments be thought necessary to be continued for the Public Exigencies and that we continue poor and restrained, the Money to pay them must come directly or indirectly from Britain she must either raise the Money by Taxes on herself, or we must try to raise it on Our Imports from her, that the Trial must be made on those Imports will be evident from considering our present Taxes. Our Lands pay in quit Rents £60,000 Yearly, which is one fifth more than Scotland with a free Trade ever paid. They are taxed too in their Products by an Excise so high that any Increase of it would probably encourage foreign Importation or diminish the use of those Products, and to lay any further considerable Weight on that Foreign Importation would probably encourage smuggling, and not increase Revenue. The Lands are taxed too in Hearthmoney £60,000 Yearly, and to close the Catalogue of their Burthens they are taxed in almost all their Products by a Duty on Export. Exports are a very unfit Subject for Taxation in general, but should we impose further Duties on them they would not be more productive from the badness or Prohibition of Market. Imports then remain to be considered and they are not an improper Object of further Revenue, but the Weight will there fall on Britain for besides that most of our Imports are from thence, those from Foreign Countries are, except a very few, taxed to their utmost bearing already. And thus will Britain by having denied Us our natural Means of Wealth, be the cause either of giving an Additional Discouragement to our taking her Manufactures, or of their paying a part of their Value to Our Revenue. Even should an Absentee

Tax take place, which a Majority of the Irish Commons has already in a former Session rejected as an impolitic Measure, Still Britain would pay it, by its being deducted from the Wealth of her Residents. The Experience of the Taxes imposed in 1773 and 1775 calculated to produce £140,000 Yearly, but which still left our Revenue Deficient, and tho' now existing in full force have not in the two last Years brought up the whole Revenue to what it was before their Imposition shew the Inability of this Country and tend to confirm this Truth, that when a Nation has spared out of it's Annual Wealth the utmost it can afford for the Public Purse, new Laws may change the Objects of Taxation but will not increase the Amount of Revenue.

Upon the whole then considering the Interest of Great Britain in the Remittances we make her, in the Manufactures we take from her, in the Advantage of Our Market, in the expediency of adding our full Strength to the Empire already weakened by the Revolt of America, in the Situation of our Revenue, all which require an enlargement of our Wealth I am clear in Opinion that a total Repeal of all the Restrictions on our Trade will be beneficial to Britain, certainly it will be so to Us, and of course must conduce to the Common Strength and Wealth of both Kingdoms.

And perhaps it may be some Argument for Great Britain's doing *immediately* all she ever intends in our Favor, that should a happy Change of Publick Affairs put an end to the American War, Emigrations from hence will probably begin, thousands will leave a Country sinking into Ruin where Industry is cramped and the natural Means of Wealth forbid, who, if the free Enjoyment of every Trade nature has fitted this Kingdom for were first ensured, might be induced to stay at Home and enrich themselves and the Mother Country in their native Soil.

Were I to enter into a Detail of the several Restrictions, I should point out those on Woolen, as the most oppressive. It is our natural Manufacture, so much so, that the Restraints of near a Century have not been able to divert this Kingdom from the breed of Sheep which as far as I can judge is not diminished, tho' the Wool is much changed from the Cloathing to the Combing quality. Those Restrictions are particularly heavy now, as much of our Distress is occasioned by the Fall in the Price of Wool, which pays the Summer Rents in a large part of the Kingdom. It has fallen from 17 shillings to 7 shillings the Stone, and as this low Price would have smuggled much of it into France, but for the War, it leads us to conclude that had the Restrictions always operated as effectually as now, we should long since have been an undone Country, and if they have not operated so we have smuggled much, and the Injury if real would have been long felt by Britain; not having felt it, she need not fear our doing openly what we have done clandestinely. Nay more if the British Writers assert truly, that one Pack of Irish Wool will work up two of French, every Pack we smuggle to France enables her to occupy in Foreign Markets the Demand which would require three Times the Quantity manufactured by us to supply. Our smuggling to France of course interferes with treble the Market our open Export would, but the State of the Linen Trade affords a strong Instance to remove the Fears of our lessening the British Sales abroad; for tho' it is almost our only Trade and has within these twenty

Years thriven exceedingly here yet it has thriven as rapidly in Britain and we are no way injured by her Success. Above all she may be secure we shall not undersell her in any Foreign Market she now enjoys, as she is able constantly to undersell us in our own Market at our own Doors, nor need she fear that the Liberty of exporting Woolen Manufacture will prevent our sending her our Woolen Yarn, for a Nation young in Trade will never refuse to sell its Goods in any, even the earliest State of Manufacture, besides the Instance of Linen Yarn should remove any Fears, for it is a Fact that in proportion as the Export of Linen Manufacture hence has encreased, the Export of Linen Yarn has likewise encreased.

I should next mention the Restrictions on mixed Goods, which bear particularly hard on our Linen Trade where Wool and Cotton are mixed in small Quantities more to promote the Sale of the Linen than from any Value arising from the Manufacture of so insignificant a Proportion of Wool or Cotton, These Restrictions bear hard too on the Silk Business where the Wool is used only as a Basis to support the Silk and is totally or mostly hid from the Eye as in Tabinets, Poplins, &c.

In regard to Hops our Case is particularly Oppressive, they used to come from Britain hither free of all British Duty, but the Drawback of Excise on their Export hither was taken off about the Year 1720, and we were prohibited from importing them from any other Country. This was not done to make a Monopoly of Our Market, for the Prohibitory Law passed some Years before the one refusing the Drawback, it was done to raise a Revenue to Britain on our Consumption of their Hops, and we ought to be permitted at least to raise that Revenue for Ourselves, if it should be thought eligible to Our Agriculture (whose Advancement is concerned in the Brewery) to load a material Ingredient of our Beer with Duties.

Glass we can only import from England and we cannot export it to any Place.

We are prohibited to import Sugars from Spain and Portugal to the Injury of our Export Trade by a late Act of Parliament, merely to confine us to the use of West India Sugars, altho' we are not allowed to import any Sugars thence, but must resort to England for them.

We are in like Manner prohibited to import various enumerated Goods from the Plantations and West Indies, whereby the Sale of our few Exports is hurt and we are obliged to take many Goods of the same sort from the East Country who take none from us in return.

Exclusive of the removal of Restrictions Britain may materially promote Our Welfare in the following Articles :

First In respect of Agriculture. The Sale of Our Corn at the British Ports is stopped, when Corn is there under a certain Price, it could be no Injury to Britain and might benefit Us if we were so far favored as to be allowed to sell there before foreign Countries, and that their Markets were opened to Us 5sh or 6sh sooner than to Strangers.¹

¹ As soon as the legislative independence of Ireland had been obtained Foster gave effect to his policy for the agricultural development of Ireland by his introduction of the measure known as Foster's Corn Law, which in the course of a few years converted Ireland from a pasture to a tillage country.

Secondly in respect of Linen. Though a Bounty is paid by Britain on the Export of Our Plain Linen from her Ports, none is paid on their Export when printed which gives a preference to the German, as they receive their Drawback in that State equally as when plain, and this Drawback is in effect a Bounty to prefer German Linens to Ours for printing.

These several Particulars exclusive of the two last are so many Instances to shew the Injuries done to this Kingdom, and through it to the British Empire by the Restrictions on Our Trade and (together with the inefficacy of the many new tho' small Branches of Trade, opened to Us by the British Legislature in 1778) tend to establish the Opinion which I humbly submit to your Excellency that Nothing short of a total Repeal of all Restrictions and a Trade as free as the Trade of Britain, will answer the Necessities, satisfy the Wishes and support the Establishments of this Country.

Lord Lifford's Criticism of the Foregoing Documents.

Letter from the Lord Chancellor
upon the Commerce of Ireland &c., &c.,
Sep^r. 17, 1779.

My Very Good Lord,

I have read over the papers which by Your Excellency's Command have been layd before me, containing the sentiments of some of the very respectable and able Friends and Servants of Government whom your Excellency hath been pleased to consult upon the great subject of Ireland and I have felt myself happy in being able to bestow upon them more consideration than I could afford that subject, when I put down the loose thoughts which I submitted to Your Excellency by way of Letter on the 9th of June last, whilst the Court of Chancery was in full possession of my time and thoughts.

I find no difference of opinion as to the Reality of the distress which this Country is fallen into, or as to the necessity of doing something as soon as may be to afford that Relief which may remove it and prevent the like for the time to come; not only for the sake of Ireland but for the sake of Great Britain also; for, all must agree, that the Interest of both Kingdoms is one and the same, and that the happiness of all his Majesty's Subjects in both Kingdoms depends upon their mutual prosperity.

I observe it is say'd that a spirit of discontent has gone forth amongst the people here, who have been taught to consider themselves as separated and distinguished from his Majesty's Subjects in Great Britain by Laws restraining their Trade and abridging what they consider as their natural Rights.

I am afraid this is but too true and that having learnt to consider the making and continuing those Laws by Great Britain as unjust and oppressive, they do in the day of Distress that has now come upon them look at those Laws as the immediate cause of their distress, and from thence with Resentment have entered and are entering into association and non importation agreements exceedingly unfavourable and detrimental to Great Britain; insomuch that according to some who seem to have been

at great pains to obtain Estimates and calculations from the most authentic Returns, the Imports from Great Britain to Ireland have already decreased in one year no less than £634,444 ; almost a third of the Imports in the year immediately preceeding. This I suppose must have happened partly from the inability of the Inhabitants to purchase and partly from a general decay and probably from these associations and agreements not to wear or use British Manufactures.

I observe also that it is say'd that the Exports from Great Britain to Ireland amounting to more than two millions in the year have been increasing upon an average from time to time whilst those to Holland Spain and Germany have been decreasing and that the Exports to Ireland make a 7th or some such proportion of all the Exports of Great Britain to every part of the World.

If this be so it is a serious matter to Great Britain for when such a humour is gone forth it spreads and increases, and the difference and loss to Great Britain will increase ; and possibly, it may after a short time be found very difficult if not impossible ever to restore things to what they were. It ought to be considered whether the manufactures and Trade of Great Britain will not thereby sustain a greater loss than they can ever suffer by any Rivalship in Trade that they can ever meet with from this Country (a Rivalship which I incline to think is ideal and visionary only) considering the vast disparity and differences between the two Kingdoms. The loss one way seems to be certain, the other meerly speculative. I have mentioned this upon the narrow scale only of Profit and loss to Individuals without entering into that more enlarged political and equal manner of considering the subject as between two different members of the same Empire, the one divided from the other by a narrow water boundary instead of a land one, and that other the Great Seat of Government with all its Courtly and tempting Refinements and allurements about it, enough as has been found to draw to it the wealth and overflows of every Member of the Empire, and at the same time the ultimate resort in that great concern of Nations, the administration of Justice : circumstances that draw as certainly and as forceably as a whirlpool or any other great attractive power of nature.

The able opinions which Your Excellency has received seem pointed to two particulars : The one the Causes of the present distress ; the other the means of Relief.

As to the first, the great drains of absentees (under which is included every kind of extra-commercial Remittance to the owners of Estates, Mortgagees, Annuitants, pensioners, &c.), is considered as one great cause. But the Laws by which Great Britain has lay'd Restraints upon the Exports and Imports of this Country seem to be considered as the grand and chief cause.

Other particulars are mentioned by some of Great Respect such as the licentiousness of the times and the increased depravity in the manners of the people and the relaxation of the Laws, and one who will always be of great authority and respect with me speaks of the great change and alteration that has happened by the Octennial Bill as conducive to that distress by contributing, as I suppose is thought, to that licentiousness which has

obtained. These latter are however matters which I at present give no opinion about, they will admit of full discussion and remedy here at a proper time, and do not so immediately demand consideration as the two others, viz^t the great Drains and the restraining Laws.

As to the means of Relief I observe that it is for the most part the opinion upon the papers before me, and some of those respectable persons whom Your Excellency hath consulted do expressly declare that nothing less than the Repeal of the restraining Laws and the giving Ireland a free Trade will afford an adequate Remedy. Some indeed do not go quite so far, but speak of some extension of Trade only.

This opinion that nothing less than an absolute free trade will afford a Remedy has gone forth, and is, I am apprehensive, the opinion of the great Body of the people, and from thence there may be too much reason to doubt whether any thing less, in the temper that men are in, will satisfy the people of this country, who, feeling their own comparative strength and Importance, may not be so easily satisfied as heretofore.

Upon these two great points viz^t The causes of the present Distress, and the Relief, I will, as Your Excellency do's me the honour to desire it, venture to put down what occurs to me; premising that in contemplating upon the Distress of Ireland I see a twofold Distress.

One a national Distress that affects Individuals from the highest owner of Land and the first trader in the Country to the lowest Farmer and Mechanick.

The other a Distress of the State or Government in its Revenues and Credit, and as felt in the Treasury of the Kingdom.

It is as to the first of these only, that I shall deliver my Thoughts at present. As to the other, though highly deserving consideration, it is not now necessary to enter into it; and indeed, is so much out of my line that I may very well excuse myself upon it.

Confining myself therefore to the first viz^t the causes of the present national Distress. It seems to me upon the best consideration I can give the Subject, a subject that neither the partiality on the one hand for the place of my Birth, or on the other for a Country where I have received great obligations and such instances of kindness and attention as serve to form a partiality in a grateful man, cannot I hope biass my thoughts and warp my Judgement, I say it seems to me that the present Distress is the effect of and has resulted from different and concurrent Causes such as :

A General want of or some great defects in the Police of this Country.¹

The great drains by absentees including therein all remittances to absentee owners of Land, Mortgagees, Annuitants, Pensioners and for other extra-commercial matters which I see in the papers before me are estimated at near £700,000 p^r ann enough, according to the opinions of speculative men, not only in this but in the last Century, when speaking of a much less sum, to drain the Nation dry sooner or later if not counteracted.

An Establishment incumbered and overloaded with Articles in no wise contributing to the publick service.

¹ Police is here used not in its specialized modern sense but in its original sense, meaning 'public policy, the regulation, discipline, and conduct of a community, civil administration, the enforcement of law, public order' (*New English Dictionary*).

A high rate of interest for money tempting many to live Idle and out of Trade and on the labour of others, and so heavy for the Trader who borrows any part of it that he finds it too much for his gains, bearing hard upon the many, very many I am afraid, owners of Land whose Estates are incumbered so as to disable them from at all relieving the Tenantry of the Country, who can but barely get a subsistence under them, and increasing at the same time the drain by Absentees ; as the Lenders, for the most part, live out of the Kingdom.

And to these is to be added that which in weight and consequence is perhaps more than all the rest viz^t the Laws by which the people of this Kingdom are restrained and layd under such disadvantages in their Exports and Imports as to shut up those Channels of Gain and wealth by which they would be the better enabled to bear up against the other Causes which I have mentioned.

These and other matters, are all causes in my opinion, that have been working so as to keep this Kingdom so weak and poor and so much on the very margin of distress, that any great and casual event, any accidents which induce difficulties upon the Empire in General or this part of it in particular or that do in any sort retard or stop that circulation which is necessary to the well being of a State that is to draw its resources from its Trade or Manufactures are presently found too much for this Country to bear and do cast it into that extreme distress which other Countries of opulence and greater resources can bear without feeling much for a great while.

Hence it has happened in my Apprehension that the Rebellion in America, where, directly or thro' some medium it seems now to be well known this Country carried on a considerable Clandestine Trade in spite of the restraining Laws (Laws that will more or less be ever in some degree eluded), the War with France, the Apprehensions for a while and now the reality of a War with Spain, which made and makes it too dangerous for men of small Capitals and Traders upon a small scale who can't bear the expence of Insurance to Trade at all and which in a variety of Instances stops or greatly diminishes those Channels by which property used to flow into the Kingdom, and which greatly affects publick and private Credit. Hence I say it seems to me that these events have immediately almost thrown this Country into its present Distress : finding it without Strength and resources and in that state of weakness in which the causes that I have mentioned with perhaps some other concurrent ones have long kept it a State which no Country sho^d be suffered to remain if any strength or advantage is to be expected or meant to be derived from it ; for upon every accident that shall bring the Empire to which it belongs into difficulties it will be able to afford little or no help at most but for a short time, and it must be soon exhausted and brought into such convulsions as may increase the difficulties of the Empire instead of relieving them, whereas if a Country like this, capable in its nature and from its situation of affording wonderful assistance, would, if cultivated and cherished so as to increase its Trade and Commerce and so as to bring about that perfect harmony and that Equality that will banish all odious distinctions between members of the same state who are all engaged in one Common Cause, it would be found to

be what Lord Bacon long since say'd of it, one of the Brightest Gems in the British Crown and to possess powers that would add irresistible strength to the British Lyon.

Upon every one of the Causes which I have taken notice of as contributing to the weakness of this Kingdom I could say a great deal but for the present I will only shortly observe upon some of them.

As to the great Drain by Absentees it is wonderful that nothing has ever been thought of to counteract it considering how long it has prevailed. We find Sir John Davies in his time complaining of it most pathetically and Rich^d Lawrence who wrote in the year 1682 and Sir Joseph Child in their times emphatically mentioning these drains as one of the great Causes of Ireland's weakness and poverty.

As to the high rate of Interest the Author last mentioned Sir Joseph Child has most ably handled that point and shewn from the Example of the Dutch and otherwise that no nation can grow rich or thrive under a high rate of Interest, and I am convinced that it greatly contributes to our weakness here, where that great mine, the Fisheries can never be wrought with Effect whilst we pay 6 p Cent and the Dutch pay only 2 and $\frac{1}{2}$.

It is this in some measure that has prevented our having Merchants of great Capitals and consideration and by preventing an increase in the number of Traders consequently diminishes the Bulk of Trade, the Number of Ships and Sailors and the strength of the whole Empire.

I have heard of Objections against lowering the Rate of Interest but I do not think them solid ones. I think they all admit of an answer provided that Interest be lowered in Great Britain at the same time that it shall be lowered here, so that the same proportion may obtain as to Interest as it does at present.

As to the Laws restraining the commerce viz^t the Exports and Imports of this Country I think it of the highest Importance for Great Britain to take them into immediate consideration either to abolish or to reform or relax them greatly.

The Opinions which your Excellency hath obtained do contain most important matter on that point; and I am very apprehensive that if this be not done very bad consequences will ensue.

The Resolutions of the people not to wear or use British Manufactures will increase to a degree much beyond, as it should seem from the papers before me, any kind of disadvantage that can happen from any Rivalship of Trade a point on which a great deal of very material matter is set forth by the Gentlemen who have looked closely into it.

The Minds of a great part of his Majesty's loyal Subjects here will be sowered and having some how or other been led to look with an evil eye upon the disadvantageous difference between themselves and their fellow subjects on the other side of the water, they will I am afraid so weaken the Kingdom by their Emigrations or so convulse it by their discontent and bad humour as to increase the present Distress to a degree to be dreaded.

As to the remedy against this Distress it sho^d be speedily thought of and resolved upon as a great object of the Empire; something immediate for present relief. But political Wisdom should go a great deal further and having investigated the causes should look forward to remove them or Counteract them as far as possible, and by something positive to establish

a policy that shall hereafter be a substantial provision for the promoting and encouraging industry, agriculture, commerce, and the Manufactures of the Country, for the support and maintenance of publick and private Credit, for rendering the Revenues of the Country effectual and adequate for supporting the Government of it, for the Reformation of the Morals of the people by a due Execution of the Laws and for the removing all odious distinctions that tend to divide and weaken the Empire; and in general to make the Country such as by enabling the people to live well and with Industry to grow rich will thereby make it worth their while to continue in it.

I observe it is sayd by most of the Gentlemen whom you have consulted and who know this Country much better than I do that nothing less than the removal of all Restraints, a total free Trade, will afford a sufficient and effectual remedy, and one Gentleman of eminent abilities says that nothing short of a total Repeal of all Restraints and a Trade as free as the Trade of Britain will answer the necessities satisfy the wishes and support the Establishments of this Country.

How far this be so I can't pretend to say. I can go no further than to declare that I am in my own mind convinced that opening the Ports of the Kingdom and giving it a free Trade will be honourable for Great Britain and highly advantageous in the end to both Kingdoms and looking at the measure in that light I can't but afford it my best wishes.

However if the minds of men in Great Britain are not yet enough opened and this measure of giving Ireland a perfect free Trade can't be accomplished at present I hope and think that in addition to what has been done there are several things, if done for this Kingdom, that would afford it considerable advantages and great Relief viz^t.

First in the Woollen Manufactures.

The opening the Ports for all the coarser cloths and Woollen manufactures to a certain value, and of certain descriptions and in such way as may leave it open to this Country to force foreign markets and recover the Trade where Great Britain has been beat out by her Enemies, or has deserted those markets for more lucrative ones. It is sayd that one pound of Irish wool will work up two pounds of French. The making up therefore the wool of this Country at home will keep it from being smuggled to France and so far diminish the Manufacture there. The Policy of which is the stronger as the smuggling our Wool to France may be sayd to interfere (and I think it is sayd in one of the papers before me) with treble the market that an open export Trade would do.

The taking off the restraint w^{ch} (according to the construction which has been put upon the restraining Laws respecting the Woollen manufactures) has been extended to stuffs and manufactures where wool is mixed with linen or silk. This would afford considerable Relief not only to the manufacturers of Dublin, who have been in the deepest distress, but as I sho^d think to manufacturers in different parts of the Kingdom.

Secondly As to the Linnen Trade.

To afford it such a relief as to put the Printed Linnens of this Country on the same footing as the plain.

Whereas at present the Germans whose Exports from Great Britain have been decreasing of late years whilst those to Ireland have been

increasing, have, as is sayd a preference by a drawback that is equal to a Bounty.

And to take off the restraint that at present lyes on Goods where wool and Cotton are mixed with Linnen.

Thirdly. To have such an attention to the Agriculture of this Country as by encouraging and promoting it may raise a Spirit for it in this Country.

The increase of Corn to make this Country one of the great granaries of Europe (as many able men have thought and do think very practicable) wou'd be a Mine of wealth to this Kingdom.

In the papers before me it is shewn that in five years from 1773 to 1778 there has been gained by foreigners no less a sum than £254,383 in the articles of Corn grain and pulse more than has been gained by Ireland in these Articles and all for want of some small preference being given to Ireland, which if given wou'd be such an Encouragement to the plough in Ireland as wou'd have a wonderfull effect.

A Small preference therefore given in the British markets to Corn imported from Ireland, such as opening the Ports to such Corn a little sooner than to any other wou'd in the opinion of some able men with whom I have conversed do the business.

The writers of this and the last Century are so full upon this subject that no body who attends to it can be indifferent about it.

Fourthly. The so far enabling this Country to import immediately from the West Indies and from Spain and Portugal as may give it a back carriage. This wou'd surely be of great advantage and indeed 'till something of this Sort is done the Trade of this Country must be very low.

Fifthly. Some Relief might be given to the Brewery here in the Article of Hops by restoring the drawback of the Excise when imported hither.

The Article itself is indeed but small, but this Relief wou'd have doubly a good effect. It would by assisting the Brewery here, contribute something to the Revenue from the Brewery which has been declining for many years, and enable the Brewer at the same time to make a better liquor which must be done before the Common people who are weakened and debauched by whiskey will be brought off from that cursed liquor.

Hops as appears from one of the papers before me used to come here duty free by a drawback on its importation hither which drawback was not taken off 'till the year 1720.

I observe it is sayd by some of the Gentlemen whose opinions Your Excellency has had that what was done in the last Session of Parliam^t in England has been hitherto of no use, or of the least advantage to Ireland, and that there is not a single instance of an Exportation or Importation in consequence of it. But at the same time I cannot but observe that one of these Gentlemen Sir Lucius O'Brien whose knowledge of the subject I entertain the highest opinion of, speaks of what was done in the last British Session as capable of producing great and solid advantages and that the not receiving those benefits which they are capable of yielding, has been owing to a want of those Regulations which ought to have followed them and are necessary to their being brought into effect.

This Gentleman, and he is not by any means singular in his opinion, says a Free Trade if granted to morrow wo^d afford little or no relief unless

certain regulations were to be established and take place here, in consequence of such a Grace to this Country.

He has not indeed said what those Regulations should be but from my long acquaintance with him and from often conversing with him upon the State of Ireland and the means of advancing it I have no doubt but the Regulations which he seems to have conceived in his mind are founded in wisdom and I hope that he will be called upon in such a way as to procure his present and future assistance in the Improvement of what has been granted to this Country and of what may be granted to it. I hope and wish as much as any man that every thing will be granted to us that is necessary for our prosperity here and for bringing about and establishing that Harmony that ought to subsist between Great Britain and this Country for their mutual prosperity and happiness. At the same time I hope if we can't obtain every thing we may be relieved in the particulars that I have mentioned. Those particulars I have put down as wanting to our present relief. But to make this a Commercial, a flourishing and rich Country and to lift it above the power of little accidents to bring it into such difficulties as it is now in several other things must be done. The lowering the Interest of money, Great Britain adopting a like measure at the same time, the establishing a National Bank and other great measures of Police deserve to be thought of, and I hope will be so in due time, for without them tho' this Country may improve it will never be brought to its full strength. I have only to add a word or two as to the Drains by absentees. It has ever as I have before noted been the opinion of the ablest writers upon the Commerce and wealth of Nations that these Drains must sooner or later distress this Country, but I do not recollect that any of them say how the Existence of them can be prevented. They must ever exist in some degree and all that can be done is to guard against and counteract them as far as possible. This will in part be done by lowering the interest of money and the loss may in part be diminished by a Tax upon the Lands of Absentees, but how far that is a political measure it is too much for me to say after the discussion which that subject has undergone in Parliament and the negative put upon it. However I will venture to say that I think it deserves consideration. The great defence against these Drains is the opening new Branches of Trade cherishing extending and improving those we already have and forming such Regulations for all as will increase our Income so as upon the whole to acquire such a National ballance as may be adequate to all our outgoings and may yearly increase the Stock of the Kingdom.

These my thoughts, thus put down as they occurred to me without studying the dress that they appear in, are humbly submitted to your Excellency by

Your Excellency's
Most faithfull and most
obedient humble Servant

LIFFORD.

Santry 17th Sep^r 1779.
To His Excellency
The Lord Lieutenant
&c., &c., &c.

Reviews of Books

Population et Capital dans le Monde Méditerranéen Antique. Par EUGÈNE CAVAINAC. (Strasbourg : Istra, 1923.)

THE unwillingness of ancient historians to interrupt the flow of their narrative by quoting figures has rendered the task of the modern student of ancient economic conditions an extremely difficult one. The material at his disposal has indeed been greatly increased by the discovery of inscriptions and papyri, but even now it is only possible to give conjectural answers to many important questions. In seeking, for instance, to determine the purchasing power of money in sixth-century Attica we have still little more to go upon than the casual statement of Plutarch that in the time of Solon a sheep and a medimnus of grain each cost a drachma.

M. Cavaignac is well known as one of the most successful workers in this field. His study of Athenian finance in the fifth century has done much to elucidate a difficult problem, and in his *Histoire de l'Antiquité* he has devoted special attention to questions of population and wealth. In the present volume he attempts to estimate the population and resources of the countries of the Mediterranean world by the application of a method which he has already made familiar. As the author admits in the preface the book is not light reading ; it calls for a considerable power of following elaborate arithmetical calculations, but this could not be avoided without a dogmatism which would render the work useless to a serious student.

Direct statements on the points which M. Cavaignac attempts to determine are seldom found in ancient writers, and the interpretation of such statements as we have (e.g. Polybius's famous figure of 5,750 talents for the value of Athenian property in 378 B.C.) is not always certain. It is usually necessary to start with facts concerning the area of a country, the productivity of the soil and the character of its cultivation, the amount of the taxes levied on the inhabitants, and the size of the armies raised from among them. To determine the first two of these factors information derived from modern books can be legitimately employed, especially for countries like Asia Minor. As regards taxation we have such sources of information as Herodotus's account of the empire of Darius and the Athenian quota lists, not to speak of the abundant details concerning Egyptian finance revealed by the papyri.

In the interpretation of these data M. Cavaignac makes use of certain principles to which no objection can be taken if they are applied with caution. He assumes, for instance, that about ten bushels of grain are required to feed a man for a year, and argues that the population of Egypt must have amounted to between five and six millions, as it seems probable

that the annual production of grain was some fifty-five million bushels. Again, much use is made of the assumption that in antiquity the average yield of an acre was ten to twelve bushels of wheat, or sixteen or even twenty bushels where there is evidence of unusual fertility. In dealing with figures of taxation he considers that they normally represent a tithe of the value of the year's crop. It is true that these principles sometimes lead to disconcerting results. Thus they seem to show that in certain of the islands included in the Athenian empire considerably more than the total area was under cultivation. But in face of such paradoxical conclusions M. Cavaignac is prepared to admit that his principles require modification, and that the rate of taxation was determined by political considerations and by the existence of sources of wealth other than land.

Throughout the book, indeed, principles are not applied with undue rigidity. Due allowance is made for geographical and political factors and for changes in the value of money and the rate of interest. An attempt is made to express in terms of landed property the monetary qualifications required for membership of the class of pentacosimedimni at Athens and the order of equites at Rome. The value of the capital possessed by a Hellenistic state is compared with that possessed by a state of similar area in modern times. If the reader occasionally feels that M. Cavaignac is trying to make bricks without straw, he is also aware that the author is fully conscious that the evidence is often scanty and lays more stress on the method which he employs than on the rather tentative conclusions at which he arrives. The book is one which no student of antiquity can afford to neglect.

G. H. STEVENSON.

History of Hindu Political Theories. By U. GHOSHAL. (London : Milford, 1923.)

Les Théories Diplomatiques de l'Inde Ancienne et l'Arthaçāstra. Par KĀLIDĀS NĀG. (Paris : Maisonneuve, 1923.)

THE fortunate discovery by Mr. R. Shamasastri of the *Kautiliya Arthaçāstra* has evoked in India a steadily increasing interest in the history of political science, and to it we owe these two new works of substantial value. The scope of Dr. K. Nāg's work is more limited than that of Professor Ghoshal's : it aims only at giving a full account of the views on foreign relations developed in the *Arthaçāstra*, considered in the light of the evidence of the Vedic texts, the epics, and the Sūtras. It covers, therefore, in part the same ground as the interesting treatise of Dr. Narendranath Law on *Inter-state Relations in Ancient India*, which, though published in 1920, does not appear to have been used by the author. The descriptive part of the work is accomplished adequately ; in his theories Dr. Nāg is occasionally rash : the suggestion that the Brahmin Kaṇika of the *Mahābhārata* is to be identified with Cānakya or Kauṭilya (p. 37) is clearly illegitimate, and the assertion (p. 28) that the Sāṅkhya philosophy was originated by men of the warrior caste, as opposed to the Brahmins, rests on no satisfactory foundation. It is, indeed, due to the modern tendency to depreciate the intellectual pre-eminence of the Brahmins and to assert the value of the contributions of the warriors

to Indian thought. But the truth is that it fell to the Brahmins to do the constructive intellectual work of India; there is no more striking proof than the fact that the *Arthaśāstra* is attributed, not to any warrior but to a Brahmin statesman, in full accord with the historical importance of Brahmin ministers in the history of India. On the other hand, Dr. Nāg shows that he has profited by his studies in Europe by accepting (pp. 114 ff.) the thesis originally sustained independently by Professor Jolly and the present reviewer, and since strongly supported by Dr. O. Stein and Dr. M. Winternitz, that the *Arthaśāstra* is not, as asserted by H. Jacobi, the actual work of the statesman who established Candragupta in power on the downfall of the Nandas about 321 B. C. It is unfortunate that Dr. Ghoshal should have accepted the traditional ascription, especially as he uses (p. 162) the geographical knowledge shown in the *Āntiparvan* of the *Mahābhārata* to discredit Dr. Bhandarkar's effort to ascribe that *Parvan* to an earlier period than the *Arthaśāstra*, ignoring the fact that the geographical data of the *Arthaśāstra*, which are conveniently summarized by Dr. Nāg (pp. 133 ff.), preclude the possibility of composition about 300 B. C. The untrustworthiness of the tradition is admirably demonstrated by the mere fact that the elaborate treatment of diplomatic questions in the *Arthaśāstra* shows complete disregard for the conditions which existed under the Maurya empire in India. It is assumed throughout that we have to deal with small states of the type which were common in India both before and after the Mauryan empire. If any doubt could remain, it would be removed by the fact that the *Arthaśāstra* ignores certain essential points of the Mauryan organization as recorded contemporaneously by Megasthenes, and its chapter on law is wholly incompatible with what we know from other sources of the state of legal science in the Mauryan epoch.

Fortunately the question of date does not essentially affect the interest of the *Arthaśāstra*, the true character of which is in the main excellently judged by Dr. Ghoshal. He justly rejects the theory of G. B. Bottazzi, which ascribes to the text the doctrine that the king is the creation of a social or rather governmental contract alone, and that his sacred character is derived from the authority thus conferred on him by the people. In point of fact the *Arthaśāstra* is neither novel nor thorough in its explanation of kingship; it combines in the normal Indian manner the conceptions of a governmental contract between subjects and ruler, as a mode of emerging from anarchy, with that of the divinity of the king as the counterpart on earth of Indra, king of the gods, and Yama, the god who punishes men after death. But it stands apart from Indian literature generally in its frank disregard of morality in the interest of the king's efforts to secure himself in power against internal disturbances, and to extend his power over surrounding princes. The knowledge shown of the baser motives which move men, and the ingenuity of the methods suggested to subserve the selfish aims of the prince, certainly justify comparison with Machiavelli, despite fundamental differences which Dr. Ghoshal rightly points out. But the most interesting thing is the comparison of the realistic outlook of the *Arthaśāstra* with the vague moral precepts and pious generalities which figure in the normal accounts of the duties of royalty in the Dhar-

masūtras or Dharmaśāstras, such as the famous work of Manu. This characteristic, it is important to note, failed in the long run to be viewed with sympathy in India; in the seventh century the doctrines of the *Arthaśāstra* are severely censured by the renowned Bāṇa, and until a few years ago the work appeared to have been irretrievably lost. The Brahmanic view was in the long run incompatible with the narrow selfishness of the *Arthaśāstra*; it accepted definitely from the Upanishads onwards the conception of the rule of righteousness or law, Dharma, which gave indeed authority and divinity to the king, but exacted from him the duty of protection of his subjects and justness. Unfortunately it did not succeed in advancing beyond such generalities; it was hampered in doing so by the idea that all beings were in each life reaping the fruits of earlier deeds, a belief which, taken seriously, renders it extremely difficult to construct any coherent political theory. The Buddhists, who did not accept the theory of a divinely ordained order, or the power of a supreme god to create the kingship, were driven early to evolve the theory of a contract between men to form civil society, followed by a contract to create a king, to whom taxes were paid by the subjects for protection and the punishment of wrongdoers. But beyond this general theory the Buddhists, indifferent to practical life, contributed little to political theory, making no attempt to elaborate a theory of mutual duties and rights as between the sovereign and his subjects or as between sovereigns. In the epic we find, as in the *Arthaśāstra*, amalgamated, without real fusion, both the Brahmanical conception of the divine right of kings, and the Buddhist view of their contractual position. The latter view seems never to have made any deep impression on men's minds; the doctrine which appears as early as the epic, and is recognized by the great commentators on the Dharmaśāstras, that a king may be deposed or slain if he oppress his subjects, is derived naturally from the conception of the king as divinely appointed to rule; if he fails in this duty there is no impiety in slaying him. It is characteristic also of the doctrine of the divinity of kings in India that it never took the form of a hereditary divine right centred in a single family; the commentators, indeed, expressly assert that the divinity of a king applies to every ruler even if he is not of the warrior caste, a view which Dr. Ghoshal ingeniously connects with the growth of the Rajput principalities, in which, as we now know, the rulers were often of foreign extraction and had no real claim to rank as Kshatriyas.

A. BERRIEDALE KEITH.

The Chartulary or Register of the Abbey of St. Werburgh, Chester. Edited by JAMES TAIT, Litt.D., F.B.A. 2 vols. (Printed for the Cheetham Society, 1920 and 1923.)

THE skill and care shown in the preparation of these two volumes may provoke the admiration of the reader, but will cause him no surprise; his only regret will be that Professor Tait has not given him even a larger measure of the admirable comments which enrich the pages of this book. The editor's task was not an easy one. He had to deal with a manuscript¹

¹ Harley MS. 1965.

which, as he says, is not strictly a chartulary, which rarely gives the full text of any document and is usually content to supply an abstract of the abbey deeds, and which occasionally omits deeds of importance. The editor has made it his duty to discover the full text of the abstracts in all cases, where that text could be supplied from originals or copies, to supply the omissions, and to give full particulars of the sources from which such texts or additions have been taken. Only a reader deeply versed in the details of the early history of Cheshire can fully appreciate the value of his work ; but it may be as well to remind those who have to deal with the persons and places of Lincolnshire, that they will often find a clue to their perplexities in these volumes, and that this is true to a less degree of some other counties, especially of Derbyshire.

Apart from the general value of this collection, it has the advantage of containing four early documents of great interest, which have set Dr. Tait on to the study of a new theory of charters, and especially of charters which appear to be spurious. It is many years since Mr. Round pointed out in his *Geoffrey de Mandeville* that the contents of a spurious charter might be perfectly genuine. More recently Mr. G. J. Turner in his introduction to *The Register of St. Augustine's Abbey* has suggested that doubtful charters should be discussed on the hypothesis that they may be corrupt transcripts of genuine originals ; and that we must take into our account the possibility of interpolations, omissions, conflation, and all other methods of corruption. Dr. Tait has now in his introduction pointed out another line of attack. He proposes to deal with certain charters in this collection as home-made charters, drawn up in the form of a narrative by or for the monks, and accepted and sealed in that form by the grantor, who was in this case the earl of Chester. And he points out that the same explanation will cover certain charters of Shrewsbury Abbey, which lie under suspicion. The home-made text will need critical examination on the lines suggested by Mr. G. J. Turner ; it will account for the existence of the charters described by Mr. Round, which are spurious in form and correct in substance. The chief difficulty is to understand the part played in the transaction by the grantor and by his officials. It should be added that Dr. Tait seems to present his theory as a possible means of evading the necessity of pronouncing the charters in question to be spurious. I am not without hopes of showing that he has been too modest in this respect, though I cannot accept the theory quite as he puts it.

If we try to construct a model of a charter, the rules that we should naturally frame for our guidance might be something like the following. A charter is intended to express a legal relation or transaction, whether unilateral or bilateral. It is intended to have legal force, and must therefore be drawn up in a form which will be recognized as binding by courts of law, and which can be construed by them. It must be drawn up as the act of the persons whom it is intended to bind, and must be authenticated by them in a legal manner ; and it must admit of no uncertainty in the indication of such persons. All charters universally allowed to be genuine will, I think, be found to fall within these rules, and a failure to comply with them has hitherto been regarded as a mark of something suspicious. It does not, however, seem to have been noticed

that many, if not most, of the charters which are commonly held to be spurious are drawn up so as to fall within them no less strictly. And it is difficult to see how a deliberate forger could have any motive for acting otherwise. He may blunder in the minutiae of form, he may err in his methods of authentication; but he is not likely to do anything to deprive his work of all chance of attaining the end for which he has designed it. The very fact that he is a rogue will make him unwilling to appear an incompetent and obvious fool. Now for any complete treatment of the origin and nature of spurious charters we need, and are likely to need, a *corpus* of such documents, edited and provided with critical comments. In default of this any study of the methods and motives of forgers must always be partial. But it seems reasonable to lay down as a canon of criticism, that any great deviation from the normal type of forged charters should be treated as a warning against putting a particular charter into that class, for the very same reason that such deviations make us unwilling to class such documents as genuine charters. Aberrant documents must be treated as special cases; if they are charters, they must be explained as a new species of charter; if they cannot be dealt with in that way, they must not be thought of as charters at all. In his discussion of the early charters in his collection Dr. Tait has chosen the first method. In this review I propose to consider what results will follow from the second line of approach.

Of the four documents already mentioned two¹ can be brought within the rules laid down with some adjustments; two lie hopelessly outside them. It is with these last that any critical study must begin, and for this task Dr. Tait has provided an excellent foundation by his complete analysis of their form and contents, and the following account of them should not differ from his except in the fact that I have laid more emphasis on the form and have omitted all discussion of the contents. Of the first of these two documents we have no original, and the earliest existing copies date from the latter part of the thirteenth century, both being preserved in *inspeximus* charters and both being presumably copies from the same common manuscript. This manuscript begins with an exordium modelled, as Dr. Tait points out, on the preambles often found in charters drawn up before the introduction of the so-called writ-charter forms. After the preamble comes a narrative in which the principal verb is in the third person plural subjunctive, expressing the intention of some unnamed persons to set forth the benefactions bestowed by Earl Hugh on an unnamed religious foundation. A short passage follows, written in Latin of an ecclesiastical type and in the indicative mood, but without any mention of either grantor or grantee; and then after an invocation to the Trinity the scribe, returning to the subjunctive mood, expresses the intention of the unnamed persons to carry out the promise already made and set forth the benefactions of Earl Hugh, but not even yet does he mention the name of the grantee. He fulfils his promise by setting out an abstract of a charter of Earl Hugh and Ermintrude his wife made in favour of the monks of St. Werburgh, including in his abstract, and this

¹ No. 5, p. 39, and no. 6, p. 47. No. 3, p. 15, and no. 8, p. 53, are utterly aberrant.

is an unusual inclusion,¹ the names of some at any rate of the witnesses to this charter, which is probably, as Dr. Tait notes, the foundation charter of the abbey. The scribe then forgets Earl Hugh altogether, and turns to other benefactors, giving brief abstracts of their charters, and in many cases setting out the names of some of the witnesses attesting them. Finally he adds brief abstracts of two small charters granted by Earl Hugh. At this point the form of the document changes suddenly; the narrative form is abandoned, and the scribe makes a desperate attempt to adopt a legal form. To do this he must introduce a grantor, and must do it when he has already mentioned a considerable number of grantors; so that there will be an obvious difficulty when the method of authentication has to be explained. A skilled conveyancer would never have got into such a difficulty; our scribe escapes by a clumsy expedient. He makes Earl Hugh and his son Richard and Countess Ermintrude and all the earl's barons and all his men confirm all the foregoing gifts; and then shrinking from the necessity of affixing all their seals to the document, he declares it to be authenticated by the seal of the earl, the seal of Almighty God, that is the 'sign' of the Holy Cross, and by the 'signs' of an array of persons consisting of the earl, his son Richard, the bishop of Bangor, and several of the great tenants of the palatinate.

I have said that the chief difficulty I find in the theory propounded by Dr. Tait is in understanding the part played in the transaction by the earl's officials. The narrative or *historia* portion of this document which was drawn up in the monastery would end naturally at the point where the legal form begins. It is possible that it extended to the beginning of the authentication clause, it is even possible that it extended to the end of the authentication clause; it is unlikely that it included the list of witnesses; and it is of course impossible that the scribe could have been allowed to attach the seal of the earl. At some point we must suppose that the work of the scribe ceased and the work of what we will call the earl's 'chancery' began. We know so little of the course of business in the court of Earl Hugh that it is almost absurd to speculate on these points. And yet I can hardly help feeling that it must have been a very curious accident that allowed such a document to pass the earl's seal unquestioned and uncorrected. Unluckily the original has perished; if it still existed and could be shown to bear the earl's seal properly attached, this opinion would have to be modified. In default of such proof it is perhaps permissible to attempt a rival explanation of this perplexing document.

We know very little about the contents of the muniment room of an abbey, and not much about its management; nor do we know much about the preliminary documents that preceded an application for a charter. But that such preliminary documents did exist, we can have little doubt. Very occasionally we can even see through the final form of a charter to the document on which it was founded. In the great charter² of Henry II granted to the abbey of St. Étienne at Caen, a charter drafted in strict form, and undoubtedly genuine, there are one or two passages in which

¹ Dr. Tait compares the 'rather irregular' *pancarte* of Néel the vicomte to the abbey of St.-Sauveur-le-Vicomte in Delisle, *Hist. de Saint-Sauveur-le-Vicomte*, p. 50.

² Printed in Delisle et Berger, *Recueil*, i. 283.

the abbot and monks are spoken of as *nos*, in spite of the rule that in a charter the first person is appropriate to the grantor. The scribe who drafted the charter can only have slipped into this blunder because he was copying a document in which the abbot and monks appeared as the narrators. Such a document would have been a statement drawn up on their behalf of the items to be included in the general confirmation to be granted to them by the king; and a little consideration will, I think, suggest that it is probable that behind every charter there lies a sketch of its contents and at least one draft. In some cases we might even expect to find that the beneficiary had gone so far as to prepare a complete engrossment ready to be sealed, supplying the names of the witnesses either conjecturally or by obtaining a correct list from the grantor. There is in all this process no guilt and no forgery. Unless the beneficiary attaches to his document the seal of the grantor without his permission, nothing morally or legally wrong has taken place. But documents drawn up in this way and preserved among the muniments of a religious house would assuredly be likely to acquire the character of charters in the eyes of their custodians, and might easily be selected as suitable for confirmation. It is, I would suggest, a probable explanation of a certain number of supposed forgeries, that the documents in question are not charters at all, but sketches, drafts, or even engrossments prepared by monastic scribes as part of the process of applying for a charter, and preserved among the muniments of the house to which they related. In some cases no real charter corresponding to them may ever have been executed, in other cases the charter actually conferred may differ so widely in form and substance as to appear a completely divergent manuscript. But in either of these cases the sketch or draft would have had a special value in the eyes of the keeper of muniments.

To such a class I would refer the document described above. In the same class I should put, with even greater confidence, the other aberrant document printed by Dr. Tait. In its general form and construction it is closely connected with the first document, and textually it is closely related to it in part. For the purposes of the argument in this review it is not necessary to discuss it separately from that point of view. Its importance consists in the fact that it exists in an original form, and therefore is not only known to us by copies in *inspeximus* charters. In fact it was never included in any such charter. If it is to be regarded as a charter, it must stand alone; its shape, its arrangement in several columns, its whole appearance mark it out as unique and incredible, impossible as a normal charter, absurd as a forgery. If, on the other hand, we regard it as a tentative sketch meant to guide the 'chancery' of Ranulf II, earl of Chester, in preparing a charter of confirmation, it becomes intelligible; and may be treated as one of the preliminary steps that led up to the normal charter¹ of confirmation issued by that earl, and printed by Dr. Tait. It is, indeed, decorated with a seal, whose nature and connexion with this particular document are, as Dr. Tait points out, both uncertain. It also contains in the last quarter of the fifth column a confirmation by Archbishop Theobald, written in a different hand.

¹ Cf. i. 67.

Neither of these facts, however interpreted, seem to support its claims to be a normal charter properly sealed by the supposed grantor. On the other hand, they do not suggest the work of a scribe seriously bent on fraud.

To support the theory of these two charters which I have here suggested would of course require a minute analysis of other charters which I should place in the same class. All that can be done here is to give a list of a few other charters of the same type. The charters of Earl Richard and Earl Ranulf II, printed in these volumes, though less aberrant in form, seem to me to be more like drafts than charters. The two charters of St. Mary, Wix, which have been discussed by Mr. Jenkinson¹ and Mr. Salter, appear to me to be specimens of home-made engrossments provided with a conjectural list of witnesses, and prepared for sealing. The two charters of Shrewsbury Abbey described by Dr. Tait may be added to the list, though I have not examined them carefully from this point of view. But on one point I would here venture to dissent from Dr. Tait. He seems to suggest that the mention of a charter in a later charter is in some way a guarantee of the authenticity of the first charter. This can only be the case if the scribe who drafted the later charter considered the question of the authenticity of the earlier charter, and was qualified to form an opinion on the point. But there is no reason to suppose that he would have thought it his duty to do anything of the kind. At the date of these early charters we know nothing of the practice of the royal chancery. At a later date a person asking for letters of *inspeximus* and confirmation was bound to produce for inspection the documents which he desired to be included in those letters. It is of course possible to maintain that the chancery would insist that the seals on them should be intact. But such a rule would have been difficult to apply, and, if applied, would have required and produced an active output of forged seals. It is easier to believe that no such rule existed, but that the chancery admitted for *inspeximus* and confirmation any document alleged to be an original by the applicant. Such an acceptance could indeed give the applicant no legal rights which he had not already; it could only protect him against a claim by the king that he was not bound by charters to which he was not a party. It could not make a spurious charter genuine or prevent the king or any third party from objecting to the inspected charter on that ground, or on any other ground that might impugn its validity in a court of law.

I have left myself no space to discuss the many other points of general interest in these volumes. But among them should be placed the curious story² of the relations between the family of Burnell and the abbey; as might be expected, the abbey seem to have got the worst of the bargain and resented it. Perhaps the four charters of *inspeximus* issued by Robert Burnell may be part of this transaction; it is not easy to understand the motive which could have led to their issue on general grounds.

¹ Jenkinson, *Palaeography and Court Hand*; H. E. Salter, 'Two Forged Charters of Henry II', *ante*, xxxiv. 65. I would add that the seal attached to the first of these charters is as curious a decoration as the seal of the Eaton Hall charter. See Ancient Deeds A. 14901 for the original: the seal is attached to a silk ribbon and the linen bag containing its remains suggests that it was a pointed oval seal. There is also a parchment tag, which has no connexion with the seal.

² i. 222, 223.

The critical text of the Great Charter of Cheshire is also welcome ; and the curious arrangement,¹ whereby a monk served at the exchequer of Chester as enrolment clerk, suggests a close connexion between the *curia* of the earl and the monastery, a fact not without importance in the discussion of the questions here suggested. C. G. CRUMP.

British Borough Charters, 1216-1307. Edited by ADOLPHUS BALLARD and JAMES TAIT. (Cambridge : University Press, 1923.)

PROFESSOR TAIT, who reviewed the first volume of *British Borough Charters* in these pages ten years ago,² has taken up the work left unfinished by Mr. Ballard at his death in 1915, and continued in the trying circumstances of the war by Mr. F. W. Cuthbertson. It says much for his diligence that in less than two years he has thoroughly revised the material handed over to him, has made considerable additions, and has written an excellent introduction. The defects of the work, of which he is conscious, are inherent in its plan and have already been pointed out by him in his review of the first volume. In the preface to this volume he calls attention to the counterbalancing advantages of the method of breaking up the charters and rearranging their clauses under subject-headings. There is no doubt that 'the student of general municipal growth, whose needs are kept primarily in view', will find this a help to his studies ; but it may fairly be urged that more is required, and that it will be found necessary to go back to the original charters mentioned in the table of sources in order to get a satisfactory view of municipal development. It seems a pity too that foreign parallels have had to be left out of account, but it was certainly better to publish the book as it stands than to embark on what must have been a long and tedious investigation. Future historians will find it easier to estimate the effect of foreign influence when they have the British evidence collected and arranged for them in advance.

The part of Dr. Tait's introduction to which the reader will first turn is his 'discussion of the meaning of the word borough in the thirteenth century'. This question is raised at the very outset by the problem whether or not to include Kingston-on-Thames, Godmanchester, and Sheffield as boroughs. In the end they have been ruled out, Kingston and Godmanchester being regarded as manors of ancient demesne held in fee farm, and Sheffield on the ground that the charter of Thomas de Furnival in 1297 'does not apply the term burgesses to the grantees and speaks of the court of the vill and not the court of the borough'. Nevertheless clauses are printed from the charters of Kingston and Sheffield. But even if the term be strictly limited to communities actually called 'boroughs' in the thirteenth century, Dr. Tait finds it impossible to give any logical definition of it. He shows that the tests accepted by Mr. Ballard as valid for the twelfth century, burgage-tenure and a court, do not suffice to distinguish a vill which was also a borough from a vill which remained a mere rural township. The example of Kingsthorpe is conclusive proof of this. The distinction made in the summons of the eyre between the vill, represented by the reeve and four men, and the borough,

¹ ii. 479.

² *Ante*, xxxviii. 704.

represented by twelve burgesses, is shown not to work out in practice. The watch and ward regulations of 1252 seem more promising, and a careful examination is made of the parliamentary returns of 1275, 1283, and 1295. But the net result is that it is impossible by arguing from returns made for special purposes to establish a general definition, and that there was probably no exact definition which would separate a borough from a market town.

The constitutional history of the royal and the seignorial boroughs is treated separately, though the same tendencies are noticeable in both cases. The new clauses are indicated in the contents-table by an asterisk. The clauses found in the previous volume and not recurring in this are marked with an obelus. It would therefore seem easy, at first sight, to estimate the progress of municipal organization in the thirteenth century. On second thoughts the affair does not seem so simple. Some of the new clauses are merely forms of confirmation or regrant, implying nothing but the lapse of time, while in other cases it is difficult to determine whether new privileges are being granted or old ones recognized and defined. Moreover, the matter is complicated by the admission of two documents, the ordinances of Grimsby and Great Yarmouth, which 'though entered on the Charter Rolls, are not charters at all, but the one a confirmation of the settlement of local disputes mediated by one of the king's judges and the other a record and notification of municipal legislation'. There are other documents also which are not of the nature of charters, but serve to illustrate the privileges enjoyed, or the rights of the Crown or other lord against the burgesses.

There is, however, no difficulty in recognizing some provisions as new. The clause as to non-user of liberties, so constant in fourteenth-century charters, first appears in that granted to Scarborough in 1253, and had not become common before 1307. The only instances of enlargement of a borough are the grant to the men of Westcheap of the liberties of Pontefract and the inclusion of Pandon in Newcastle-on-Tyne. The most striking developments are in the domain of jurisdictional and mercantile privileges and borough finance. Thus there are clauses giving boroughs the right to have their own prisons, and in 1256 and 1257 many of them took advantage of the necessities of the Crown to obtain return of writs and direct relations with the exchequer, thus emancipating themselves from the control of the sheriff. About the same time great limitations were placed on distress, so that henceforward burgesses might not have their goods arrested anywhere in England for the debts of their fellow burgesses unless justice had been denied in the borough. This right had been granted to Bristol in 1188, but in most cases the clause granting it is borrowed from the charter to Lincoln granted in 1255. Before that date the same right of 'marque and reprisals' which continued till a comparatively late date as against foreign countries must have been exercised freely within the realm. Another new provision is directed against forestallers and regraters. Finally we have the grants, so usual in the next century, of murage, pavage, and pontage. As Dr. Tait points out, these developments of the old liberties 'made no change of principle in the relation of the towns to the Crown'. British boroughs 'were far

indeed from attaining the independence of the communes of France and the free cities of Germany'.

Among the seignorial burghs there are some curiosities worthy of notice. William earl of Derby created the borough of Higham Ferrers in 1251 by enfranchising all the serfs; on the other hand, at Bridgetown Pomeroy, Henry de Pomeroy expressly stipulates that the status of burgess shall not confer freedom. Oxford and Cambridge, as university towns, have special features, due to the necessity for regulating the supply of food and lodging to scholars, and moderating the inevitable disputes between them and the townspeople. The 'murage' at Oxford mentioned in the writ of 1251 should hardly have been classed with the grants of murage as a toll on commodities, since, as is suggested in a foot-note, it was probably an ancient customary payment levied on the burgage tenements, and not a toll in aid of the borough finances.

It is difficult to speak too highly of the care with which the volume has been compiled and the references verified. In some cases this has been impossible, owing to the loss of the original charter and the absence of any *inspeximus*. It is a sad comment on the indifference of the public to the fate of its records that the charter of Ellesmere, which Owen and Blakeway presumably saw, has been completely lost, and was most likely 'recently sold to an American bookseller'. A few misprints have escaped correction. Mr. Brownbill appears in the preface as Mr. Brownhill, and a 'ne' is inserted in the third paragraph of p. 209 which makes nonsense of the passage. It is unfortunate that the price of the book is so high as to make it unsuitable for a text-book. Otherwise it has great advantages, both from the importance of its subject, and because the translation of all the extracts is calculated to accustom the student to the French and Latin terms which he will find in original authorities. It is to be hoped that further volumes will be issued dealing with the fourteenth and fifteenth centuries. The story will not be complete until it is possible to take a charter of comparatively recent date and trace back all its provisions to their origin, explaining when and why they were introduced or modified. CHARLES JOHNSON.

East Kent Records. A Calendar of some unpublished Deeds and Court Rolls, in the Library of Lambeth Palace. Edited by IRENE JOSEPHINE CHURCHILL. (London: Kent Archaeological Society, 1920-2.)

THIS collection includes not only deeds and court rolls but rentals and extents, the whole covering a period from Edward I to James I; the British Museum, the Record Office, and more than one private collection, in addition to Lambeth Palace, have been laid under contribution for notes or text; and the wanderings of the manuscripts here set out form an interesting little piece of archive history: the Lambeth collection seems at one time to have voyaged to Cork. The editor has dealt with her material by a blend of transcript, abstract, and summary. There is an elaborate introduction, and the editor's father, whose recent death all Kent antiquaries had reason to deplore, supplied two useful indexes (persons and places). The deeds relate to lands held by the Langleys and, afterwards, the Peytons of Knowlton.

The book was well worth doing, and others besides the members of the Kent Society will be grateful to Miss Churchill. At the present stage of our development of our manuscript sources we can hardly have too many intelligent publications of material such as the present, both for local and for general historical purposes. The text and indexes before us yield the usual crop of small points of interest upon such topics as personal and place names and the inner side of local conditions: the incidence of petty manorial duties, for example, is well illustrated by the case of the beadles of Knowlton; in 1427 we have one of these unfortunates fined for appearing without his white wand, they are continually in default, and the tenants, one suspects, elected persons to this office whose qualification was that they were not present to protest (p. 85, &c.). There is some curious indirect (but convincing) evidence on the subject of pronunciation (p. 55). A good example of the not very common use of *ragman* (meaning a roll) appears at p. 111.

But Miss Churchill has aimed at something more than an adequate provision for the local historian: she has devoted considerable care, for example, to the description of seals, and her introduction shows that she has endeavoured to cater for the wants of the select few who are interested in documents as documents. Such investigations are not unimportant, for upon them must be largely based our knowledge of an individual whose better acquaintance we badly need, the *laicus litteratus* of the fourteenth and fifteenth centuries. If we venture a few comments in this connexion it is by way of asking for more of a good thing rather than carping. We would suggest, then, that it is not very easy to find one's way about an introduction which covers many topics and turns rather imperceptibly from one to another: headings would be useful. We would also plead for a classified subject index in books of this kind—we have found in practice that little more than ten pages was required for a volume of this size—and for some remarks on the handwritings. Miss Churchill's work was done before the publication of the recent report on editing which was published in the *Bulletin of the Institute of Historical Research*, no. 1:¹ had she been able to use some of its recommendations her descriptions of the methods of appending seals and some other matters might, we think, have been more detailed without much extra labour or space. Lastly, we cannot quite agree, in spite of Coke, that a division of all deeds into *deeds poll* (surely not 'deedpolls'?), *indentures*, and *bonds* meets all the needs at which the editor herself hints in her introduction.

We have noticed only a few misprints: and we must end, as we began, with gratitude for a useful piece of work. HILARY JENKINSON.

Quatre Siècles d'Histoire Marocaine au Sahara de 1504 à 1902, au Maroc de 1894 à 1912, d'après Archives et Documentations Indigènes. Par A.-G. P. Martin. (Paris: Alcan, 1923.)

THE establishment of the French protectorate over Morocco is an event of such importance that a detailed and expert history of the proceedings which culminated therein is very welcome; and the work of M. Martin

¹ See *ante*, xxxviii. 627.

on the whole answers to this description, since he traces that establishment to the French advance into the hinterland south of Algeria, which came about in accordance with the law (formulated by the late Lord Salisbury, whom the author quotes) which compels every civilized nation in contact with a backward one to advance its frontiers constantly in order to secure its acquired possessions. The history of this Sahara oasis, hitherto little known, is reconstructed by M. Martin with the aid of documents acquired by him during his residence in the region; in his preface he complains bitterly of the difficulties put by various French officials (to some of whom he ascribes unworthy motives) in the way of his utilizing these materials. Whatever may be the rights and wrongs of this matter there can be no question of the value of the information which he succeeded in procuring.

One fact which the author brings out is the steady decline of the oasis (Touat) in wealth and prosperity; in 1728 it could send the sultan a present worth 30,000 fr. That which its people could send in 1891 was worth no more than 2,090 fr. In 1897 they could only send twelve negroes, whereas in former times they had sent rich apparel, gold dust, and coin. This decline is attributed by the writer to the rapacious and ruinous activities of the Sherifian sultans. He admits, however, in one place that the steady desiccation of the soil may have had something to do with it.

From 1795 to 1842 the oasis appears to have enjoyed autonomy. The sherifs recognized that it was too poor to be able to pay them any dues. Nevertheless their authority over the region did not lapse; indeed M. Martin maintains that the north African Moslem does not understand any frontiers save that between the land of Islam and the land of the infidel. The French advance into the hinterland caused the inhabitants to appeal to the Moroccan caliph as their natural protector, and from 1882 a series of events began which led without much interruption to the abdication, first virtual and then actual, of the caliph in 1912. To one who looks back on the series from 1914 much in the action of various governments becomes clear which their critics found obscure at the time.

Probably the best-known English works on the establishment of the protectorate are Mr. E. Ashmead-Bartlett's *Passing of the Sherifian Empire* (1910) and Mr. Donald Mackenzie's *Khalifate of the West* (1911), both written before the consummation. These writers judge France with much severity. M. Martin speaks harshly of the activities of two Englishmen who took part in Moroccan affairs (the Kaid Maclean and Mr. W. B. Harris), but he admits that Great Britain observed loyally the pact of 1904. He occasionally expresses disapproval of the methods employed by the representatives of his own country, but in his account of the Casa Blanca incident says nothing in confirmation of Mr. Ashmead-Bartlett's account.

There seems to be little difference between the inhabitants of the Sahara oasis and Morocco in moral standards, wherein they appear to be slightly below the inhabitants of Central Arabia, about whom Mr. Philby has recently told us so much. Moulai Hafid burned a rebel alive, after telling the European consuls that he must deal with him according to Islamic law. Both he and his predecessor maintained harems altogether out of proportion to their resources; the latter travelled with forty-two

wives, and the former contracted twenty-two marriages within a few weeks of his establishment at Fez. Mr. Ashmead-Bartlett speaks of the reign of Abd al-Aziz as 'an orgy of corruption and misgovernment such as has seldom been equalled', but whereas the story of the former brings some worthy Moroccans to the front, it is difficult to find any in the history of M. Martin.

Both assert that under the predecessor of Abd al-Aziz, Moulay Hasan, Morocco was peaceful and prosperous; but whereas the English writer attributes the choice of Abd al-Aziz as successor to Moulay Hasan himself, the French author ascribes it to the chamberlain Ba-Ahmed, who hoped to rule the empire himself in the name of this lad, who was about fourteen at the time. Several of his brothers figure in the narrative, but it is not clear that any of them would have proved a more capable ruler.

M. Martin concludes his work with some advice to his own government, based on profound knowledge of the mentality characteristic of north African Islam. The book derives great value from the numerous translations which it presents of authentic documents, among them many proclamations issued during the period which commenced with the affair of Casa Blanca (1907) and ended with the acceptance of the protectorate. The first half supplements and occasionally corrects M. Mercier's *Histoire de l'Afrique Septentrionale*.
D. S. MARGOLIOUTH.

Registrum Secreti Sigilli Regum Scotorum. The Register of the Privy Seal of Scotland. Vol. ii, 1529-42. Edited by DAVID HAY FLEMING, LL.D. (Edinburgh: General Register House, 1921.)

It is fifteen years since Mr. Livingstone, who edited the first printed volume of this 'the best preserved of our early [Scottish] records', gave to the public the first seven volumes of the manuscript, and part of the eighth. Dr. Hay Fleming has supervised the publication of the remainder of volume viii, the whole of volumes ix to xvi, and part of volume xvii, thus bringing the printed register down to 8 December 1542, 'the day on which Queen Mary was born, and the date of the last entry before the death of James the Fifth'. Relying doubtless on the exposition given by Mr. Livingstone in the earlier volume, and in his *Guide to the Public Records of Scotland*, and on the admirably clear statement recently published by Dr. Maitland Thomson, Dr. Hay Fleming has in his own introduction—all too short—devoted little space to the form and formal content of the register. Broadly speaking, the record contains two great classes of writ. In the one the privy seal, applied on the warrant of a signature (sign-manual), itself conveyed full authority; in the other the passing of the privy seal was but part of a long process which began with the signet, and was continued by the Great Seal. Many documents of this second class are obviously common to both records, and as the *Register of the Great Seal* has long been in print, it would have been wasteful to repeat these *in extenso*. Brief notices would suffice. But whereas Mr. Livingstone collected these in an appendix, his successor has preferred to keep them in their proper places, printing in smaller type and giving a reference to the corresponding entry in the *Register of the Great Seal*. This improvement

was suggested by Mr. Livingstone, whose admirable arrangement of material and provision of indexes (of persons, places, and offices) has been closely followed in the present volume. The work of Dr. Hay Fleming, however, must not be under-estimated. He has copied with his own hand all but 548 of the 5,017 writs now published—a sure guarantee of accuracy—and in his introduction he deals with matters of the first importance.

In discussing the place of the privy seal in the constitutional machinery of Scotland, he adduces evidence from the unprinted *Acta Dominorum Concilii* to show that the seals were meant to protect the royal bounty from the 'inopportune or circumvention' of suitors, and it is interesting to note that Scotland between 1526 and 1531 was trying an expedient adopted in England during the reign of Henry VI. But this is, for the editor, a side issue. His main concern has been to indicate the high historical value of the evidence supplied by the record, and to show how the long list of grants, pensions, letters of protection, remissions, and presentations may be made to shed a welcome, and often an unexpected, light upon a dark period of Scottish history. 'This volume', he says, 'should prove useful to genealogists, to students of place-names, and to those interested in the ownership of lands', and thanks to its indexes, the book is in fact a dictionary of the proper names of the period. Miscellaneous information abounds. The priory of Kingussie is found, for the first time, to have been Carmelite; there appears a Norman Leslie, Lord Rothes (dead before 20 July 1531) who is quite unknown to the peerage. A remission of 1542 confirms Pitscottie's version of the 'Cleanse the Causeway' fight of 1520, on which doubt has been cast. There are interesting references to Hector Boece, to his translator Bellenden, to George Buchanan, and to several of Scotland's early printers. Crichton of Brunston, who plotted Cardinal Beaton's murder in 1544, is found to be of his party as late as 1541. Incidentally, under the year 1538 appears a notice of a George Wischert of the house of Logy-Wischert; the martyr is said by Calderwood to have belonged to the house of Pitarrow, a near neighbour, but David Laing, who examined the Pitarrow charters, seems to have found no suitable 'George' of that family. But the value of the register lies, as Dr. Hay Fleming rightly insists, not in these isolated scraps of information, however interesting, but in the cumulative effect of the evidence. What impresses him most is the abundant proof of the lawlessness of Scotland, and he might have gone on to show how very closely lawlessness and the punishment of lawlessness were related to family feud. Throughout the record, again, he sees the signs of the impending reformation. The quarrels of the French and English factions; the dealings of the clergy with the church land, and with their illegitimate children; the reluctance of the laity to pay ecclesiastical dues, and the growth of heresy; all the elements which went to make the Reformation were working in Scotland between the years 1529 and 1542. Some of the evidence now produced has already been used by the editor in his book *The Reformation of Scotland*, but in the second volume of the register there still remains a vast mine of new information, personal, social, economic, political, and ecclesiastical, which will be of the highest aid to future research.

J. D. MACKIE.

Strafford and Ireland : The History of his Vice-Royalty, with an Account of his Trial. 2 vols. By HUGH O'GRADY, Litt.D. (Dublin : Hodges and Figgis, 1923.)

DR. O'GRADY'S *Strafford and Ireland* may be regarded as a belated counterblast to Mrs. Green's *Making of Ireland and its Undoing*. Whether it is intended as such we do not know. Like Mrs. Green Dr. O'Grady is careful to inform his readers that he is not an 'orthodox' historian. 'Irish History', he says, 'has to be written *de novo*.' This is a hard saying for those of us who have spent our lives writing Irish history apparently to no purpose. But we question if Dr. O'Grady will make many converts. Certainly an author, who is so evidently tired of his own book that he cannot correct his proofs properly, can hardly expect even a long-suffering reviewer to do more than skim through the thousand and odd pages of verbiage he is pleased to describe as 'vitally necessary for lucidity'. The fact is *Strafford and Ireland* as it stands is not history at all, but merely material for history. Boiled down to a quarter of its size it would have been much more effective. And after all there is nothing very new in what Dr. O'Grady has to say. Of recent years an opinion has been forming among historians that Strafford's viceroyalty was, despite its apparent success, a great misfortune for Ireland. That opinion has not been hastily formed, but is based on all the facts of the case and, what is more, on a deeper insight into the character of Irishmen and the nature of the Irish problem than Dr. O'Grady appears to possess. It is easy to understand how, with recent events fresh in his memory, Dr. O'Grady should long for the stern hand of a strong ruler like Strafford, capable, as he would express it, of holding the upper classes in check and restraining the violence of the proletariat. But despotism has its dangers no less than unbridled licence. Of course Dr. O'Grady would deny that Strafford was a despot. Not once have we come across the famous 'thorough' in his book. And yet 'thorough' exactly expresses Strafford's policy. He was in no sense an innovator. From the time of Anthony St. Leger and Sussex every viceroy had had as his object the anglicization of Ireland. Strafford's complaint was that they had not been thorough in their application of the principles of English government, but had for ever been seeking a middle way. To Dr. O'Grady Strafford is not a despot but rather a schoolmaster in charge of an unruly class. What punishments he was compelled to administer were administered reluctantly for the benefit of his pupils. The result, according to Dr. O'Grady, justified the means. Look, he says in effect, look at the state of Ireland when Strafford took over its administration—justice corrupted at the fountain-head, financial anarchy, a disorderly and inefficient army, jobbery in high places, religion set at naught, trade at a standstill, the land uncultivated, &c.—and compare it with what it was when the 'crash' came: justice administered promptly with an even hand to high and low alike, a handsome surplus in the treasury, trade flourishing as it has never done since, a highly efficient and well-equipped army, every private of which was fit to be a captain, a parliament remarkable for its unanimity in furthering every scheme submitted to it for promoting the prosperity of the country, &c., &c.

It is a pleasing picture and, if allowance is made for its exaggerated lights and shades, one not very wide of the reality. Its only defect is that the price of all this apparent prosperity was seething discontent, only kept under by the fear of provoking Strafford's wrath and ready to vent itself immediately the strong hand of the despot was removed. Despotism, we admit, may accomplish many things which might otherwise be impossible, especially in a country slowly emerging from a state of anarchy. The *ultima ratio* in all such cases is an army subservient to the will of the despot. But despotism, we repeat, has its dangers, and it possesses no educative value whatever. Dr. O'Grady professes a great admiration for Bishop Stubbs. We wish he had imbibed the lessons the *Constitutional History* conveys. We wish, too, that he had been content to sit at the feet of another great English historian. In that case he would surely never have penned such sentences as the following :

Every political issue in England, Scotland and Ireland, during the reign of James and Charles is affected by ownership of, or the claims to the lands of the Church. The cause of the rebellion in Scotland was not Laud's Prayer-Book. It was the claim of the Scotch aristocracy to convert their squatter's [*sic*] rights on these lands into full ownership. . . . The driving force of the Parliamentarians in England was the intense desire of the aristocracy and squirearchy to turn the Church Lands into demesnes. . . . The Revolution in England was a land agitation. . . . The same phenomenon appears in Ireland [pp. 519-20].

And again (p. 574) :

Puritanism was religious intellectualism brought to its utmost extremity. It bore the same relation to Calvinism as licence does to liberty. On the Continent it culminated in the communism of the Anabaptists, which frightened property into the Counter-Reformation. It was now sweeping over England, first assailing the Prelacy, then the Crown, then the basis of the State, and ending in that wild upheaval when Cromwell's army mutinied, Sheriffs and Magistrates were defied and private property seized by mobs. Then came martial law, a military dictatorship, a series of executions and England regained its normal calm, never to flirt with anarchy again.

Truth to say, despite his assiduity and the sometimes very valuable information he incidentally imparts, Dr. O'Grady is less an historian than a vendor of paradoxes. His pages teem with half-truths hardly less mischievous than absolute falsehoods. One example must suffice. It is well known that in order to raise money for the defence of the realm Charles, in order to avoid calling a parliament, authorized Falkland to enter into negotiations with the nobility and gentry to find the means of providing an army. Falkland failed, but a deputation, representing the gentry, proceeded to London, and there, after much haggling, terms were arranged. These terms are known as the Graces. They were to be confirmed immediately by a parliament. That parliament never met, and the Graces were still unconfirmed when Strafford took over the administration. For reasons of state Strafford refused to confirm the more important of them. Now this is how Dr. O'Grady describes the incident.

When Falkland was Deputy the Lords and gentry voted [!] a contribution. Subsequently [!] their agents went over to London with a list of grievances and persuaded [!] the King to amend them by a series of concessions, usually described as the 'Graces'. . . . The Graces were a reward [!] granted by the King, without, so far as can be ascertained, taking the advice of a single member of the Irish Executive. The Privy

Council in England was the authority that ratified [!] them, and the first Falkland heard of them was an order to put them in force [*rectè* collect the money and take steps to call a Parliament]. This was one of Charles' most serious defects, a habit of yielding to petitions [!] without consulting his Ministers. A series of unlucky [!] fatalities then intervened. The Parliament, which was to be summoned to ratify these 'Graces', failed to mature [!]. . . . To the great majority he [Strafford] had no objection. Some of those concessions he had already [!] made were enshrined in these 'Graces'. Three, however, were, if not dishonestly conceived, certainly disastrous to all efficient [!] government. . . . The problem was how to 'take the negative off the King'. . . . A clause in Poynings' Law gave Strafford the clue. . . . To Parliament Strafford and all the Council [!] declared that we 'do not think these Graces should pass' and 'by the duty we owe His Majesty we may not certify the King under his Great Seal that they may be passed into law'.

So is history written *de novo*.

R. DUNLOP.

The Life of Sir Robert Moray. By ALEXANDER ROBERTSON. (London: Longmans, 1922.)

THIS biography is based on a thorough examination of primary authorities, both printed and unprinted, and no probable and few possible sources of information seem to have been neglected. The author conducted researches in Paris, London, Oxford, and Edinburgh, and also secured access to documents in private possession. The result is that although Sir Robert Moray was not of first-rate importance either as a soldier or as a statesman, new light is thrown on certain sides of national history whenever he was concerned in state affairs. This is true of the negotiations which preceded the surrender of Charles I to the Scots in 1646, the petty quarrels which occurred among the Scottish royalists both before and during Glencairn's rising, and post-restoration politics in Scotland. It is natural that the chapters treating of Moray's share in the government of Scotland during the troubled decade after 1660 should be the most novel and important, for Moray's friendship with Lauderdale and his popularity at court then gave him greater influence on public affairs than he possessed at any other time. The difference between the policies of Middleton on the one hand, Rothes and Lauderdale on the other is clearly described, though it is surprising that more use was not made of the late Professor Hume Brown's very judicious survey of this period in his *History of Scotland*. It is unfortunate that it seems impossible to discover much about the attitude of English statesmen to Scottish affairs from their own writings. Clarendon supplies no information after 1663 in his *Continuation of his Life* (his remarks on Scotland 1660-3 are slight and rather inaccurate), and apparently the void cannot be filled from his manuscripts in the Bodleian Library.

Undoubtedly the most original chapter in this biography is the second, on the Scottish Guards in French service of which Moray was lieutenant-colonel. The methods of recruiting and conditions of service are here adequately described for the first time, mainly from French archives. Another valuable chapter deals with Moray's connexion with the Royal Society, of which he was the first president and for which he procured its royal charter. Here again recourse was made to unpublished material, and some curious notices of Moray's scientific activities were collected

from the records of the society, the published correspondence of Christiaan Huygens, and other sources. It would be alike pointless and unchivalrous to indicate the few small errors and omissions which have been noted, because the author's death on the Somme in 1916 deprived him of an opportunity of revising his thesis, whose editor, Dr. H. W. Meikle, very properly decided to print it without alteration except some curtailment. The high standard of scholarship of this book justifies the hope that it will be found possible to print the latter part at least of Mr. Robertson's life of Sir William Lockhart, of which mention is made in the preface.

GODFREY DAVIES.

Calendar of State Papers, Colonial Series, America and West Indies, June 1708-1709. Edited by C. HEADLAM. (London: Stationery Office, 1922.)

AFTER an interval of six years another volume is given us of the Colonial Series of the Calendar of State Papers. The years dealt with are in several ways of significance. We have here fuller details with regard to the abortive Canada expedition of 1709 than can be found elsewhere; and the full report of Colonel Vetch's memorial, *Canada Survey'd*, is of especial value. It is clear that for once the colonists, with the exception of the Quakers, threw themselves whole-heartedly into a co-operative effort, and the disappointment and bitterness were the greater when that effort was made of none effect by the non-appearance of the British fleet. It is true that the astute Dudley made the best of things by assuming that the expedition was only deferred; but the feelings of the rank and file of the touchy colonists must have been far from kindly. Even a minor attempt upon Port Royal, which still seemed possible, was prevented by the refusal of the English captains of the men-of-war to lend their help. A dispatch from Dudley gives a singularly vivid account of his activities:

In May the General Assembly of the Massachusetts sits down, and generally holds six weeks, which I am forced to attend everyday, to put forward H.M. service and to keep the Houses to their duty. . . . When that Assembly rises, the Assembly of New Hampshire usually sits down for a shorter time. . . . The issue of these two Assemblies brings July and August, [in] which months I have what troubles the French and Indians, my neighbours, can give me in the frontiers by their marches upon me in the covert of the woods, which keeps me well employed to send forces to all parts of the frontiers of 200 miles long, which has been so successfully managed these six years of the war that I have not lost one village, nor drawn in one, which has been always done in the former troubles with the Indians. This trouble and hurry of their incursions holds till the fall of the leaf, and beginning of October, when the General Assembly of the Massachusetts sets down again for another six weeks, and then follows the Assembly of Piscataqua as in the spring, and these bring December, when I am fitting out parties from all places upon their snow-shoes who in the depth of the winter for four months are searching the forrests for 200 miles deep for the lodgings of the Indians, whereby this whole war I have kept them from all their antient seats and planting grounds, and driven them to inaccessible places and parts where no corn will grow for their support, and this brings the spring again and a new year's business, and all the travail and care return again.

With regard to the West Indies a vast amount of space is taken up with the complaints against and by Governor Crowe of Barbados and Governor Parke of the Leeward Islands. Squalid as are many of the details, they serve to bring home, as nothing else could, the state of things prevailing

in these islands. In reading these papers one forms an impression most unfavourable to Crowe ; but it is fair to note that the *Acts of the Privy Council*¹ show that he was acquitted of the actual misdemeanours of which he was accused before that tribunal. Parke would seem to have been a well-meaning but tactless soldier, most prolix in his boastings of his own services. In the volume calendared he narrowly escaped assassination, planned, according to Parke's own belief, by the English clergyman. In fact he was, at a later date, murdered in Antigua.

It is ominous of the dry rot that was afterwards to set in at the board of trade that, as early as October 1709, the secretary of state is found informing that body that it was necessary that there should be a quorum of the board constantly in town to attend to urgent business.

Amongst other papers of importance the volume contains a report of the board of trade (9 November 1709) which gives a full and clear statement of the reasons why the appointment of an agent to transact the public affairs of Barbados, made by the assembly, apart from the governor and council, could not be allowed. Mr. Cecil Headlam, the editor of these calendars, has been able to economize space by not printing documents already set out in well-known collections published in the United States. Even thus the material for a year and a half occupies a whole volume.

H. E. EGERTON.

Hispanic-American Relations with the United States. By W. S. ROBERTSON. (New York : ed. DAVID KINLEY, Carnegie Endowment for International Peace, 1923.)

THIS excellent work by a well-known expert is encyclopaedic without being obscure, and exhaustive without being exhausting. In some 400 pages of text we have a clear and admirable summary of the foundations of international intercourse ; of the political influence of the United States in Latin America ; of the Monroe doctrine, rival allied doctrines and intervention ; of mediation, arbitration, and diplomatic adjustments. As if this were not enough we have further studies of commercial relations, of industrial enterprise, of cultural contact, and of geographical exploration. It would require a knowledge as complete as that of the author to deal adequately with all aspects of the subject. Perhaps the best plan is to lay the main stress on the political and diplomatic aspects.

Chapter ii, on recognition, is particularly good (pp. 26-59). We have, for the first time, a comprehensive account including all countries. It will be news to most people that the first recognition of a Spanish-American state was that of La Plata (Buenos Ayres) by King John VI of Portugal in 1821 (p. 30) ; as will be also the information that Brazil was actually recognized by the United States in 1824 (p. 35). Though it is well known that the United States recorded its intention of recognizing various Spanish-American states in March 1822, it is less known that the first minister to represent the United States was Anderson to Colombia on 27 January 1823 (p. 35), and that Buenos Ayres did not receive a United States minister till November of that year (p. 36), or Mexico till June 1825

¹ *Colonial Series, 1680-1720*, p. 581.

(p. 39). These facts are of considerable importance because they help to explain why less value was attached to the actual recognition by the United States than might perhaps have been expected.

Canning's recognition, which was on the last day (not 'near the end') of 1824, therefore produced an effect which was almost startling in Latin America as well as in Europe. It seems, in fact, to be true, whatever the explanation, that England's recognition was decisive, whilst that of the United States was regarded as local rather than epoch-making. This view is not one that it is easy for the United States to accept, and Professor Robertson does not actually do so. But that seems to be the result of the facts which he relates with such admirable candour.

Mr. Robertson is equally informing upon the contemporary interpretation of the Monroe doctrine. He makes clear that the United States never had any intention of interfering with Spain's attempts to recover her colonies by armed force (p. 50), and that, when it came to the point, neither Adams nor even Clay was prepared to go to war with a European power attempting forcible interference in America, unless the consent of Congress (which was sometimes doubtful) had previously been secured (pp. 47, 50, 52). The later developments of the Monroe doctrine under Cleveland (pp. 107-12) and Roosevelt (pp. 113-34) are related with much clearness. It is unusual for a writer to preserve historic balance sufficiently to relate with such accuracy the original limitations of a doctrine and to point out at the same time the elasticity with which it has been stretched to cover new claims and assertions.

We have noted only one slip, on p. 44: the date of Canning's conference with Polignac was not 9 October 1822 but 1823, and it is of importance as marking what is perhaps the most significant date in Latin-American history. For Canning informed Polignac that he would fight if France landed troops on the Latin-American continent. Adams and Clay only said that they would consult Congress in such case. Canning said nothing about consulting parliament, and his statement was therefore not one about which there could be any doubt, and was therefore the end to all possibility of armed intervention from Europe (other than Spanish).

Chapter iii, on the political influence of the United States, is particularly interesting as showing the extent to which their political principles were imitated in Latin America. The chapters dealing with commercial intercourse and industrial enterprise are full and informing, and that dealing with educational contact shows what has probably been the best and most enduring influence of the United States on her sister republics.

HAROLD TEMPERLEY.

The Cambridge History of British Foreign Policy, 1783-1919. Edited by SIR A. W. WARD and G. P. GOOCH. 3 vols. (Cambridge: University Press, 1922-3.)

ONLY an Acton could pretend to review in detail a book of this comprehensive character. Lesser critics must learn its merits and its defects by degrees in the course of their daily work, experimenting with it as a work of reference. At a first reading it justifies, in nearly all its parts, the expectation

of sound learning and sound workmanship which the list of the contributors naturally arouses. If it shows how much work remains to be done on the age of Palmerston and Clarendon, and on that of Beaconsfield and Salisbury, the blame must be thrown on the unduly secretive foreign offices of pre-war Europe and on the comparative neglect by English researchers of the material which has actually been disclosed, but not on the scholars who have courageously undertaken to show the present state of our knowledge and incidentally to indicate some lines upon which new investigations may be profitably conducted.

There are, however, some general features of this great enterprise which are less commendable than the industry and skill of the individual contributors. The preface misrepresents, unintentionally we must believe, the tone and spirit of the work. Foreign critics may excusably look askance at a book on British foreign policy which is certified to be the output of born British subjects. This *gaucherie* is not attenuated by a subsequent assurance that the contributors combine 'a strict adherence to historical truth wherever ascertainable' (an exquisite reservation) with 'an avowed regard for the interests and above all for the honour of Great Britain'. This unsolicited testimonial must be exasperating to writers who have assuredly written without any *arrière-pensée* of a patriotic kind, in the spirit of scientific scholarship. Here and there we may note a passage which unconsciously betrays the bias of John Bull. Professor Holland Rose, in writing of the Napoleonic period, is too complacent about the treatment which our statesmen accorded to Holland and to Norway. Professor Webster praises the 'moderation' of Castlereagh in relinquishing Java while clinging to the rest of the Dutch colonies. And, speaking generally, we find in these volumes a disposition to take for granted the British view of the rights and liabilities of maritime neutrals. But we notice that Dr. Holland Rose, who is, if we may say so without offence, the sturdiest Briton of all the contributors, has passed a particularly severe judgement upon Canning's behaviour towards Denmark (i. 363). Neither he nor any of his colleagues shows any fixed desire to state the British case. They are preoccupied with threading the mazes of complicated diplomatic transactions. They are more concerned to ascertain what happened than to appraise the morality of each particular action or decision. Their language is coloured, but their narrative is not distorted, by the prepossessions which we have illustrated.

The structure of the *History* leaves much to be desired. Although the appendixes contain some new material, they are too occasional and fragmentary to be regarded as anything else than excrescences upon the general plan. The bibliographies are generally, though not always, compiled as mere supplements to the corresponding lists in the *Cambridge Modern History*. Apart from the obvious consideration that the older work will not be in the possession of every one who wishes to study British foreign policy, this principle is open to the objection that we need bibliographies which are selective and in some measure critical. Turning from the bibliography to the text, we are struck by a certain laxity of editorial control, more particularly in the second volume, which is the work of thirteen different hands. Four chapters in this volume furnish obvious

examples of overlapping. Mr. Mowat (ch. iv) and Professor Hearnshaw (ch. vii) both give the story of the Spanish marriages; the Tahiti episode is described both by Mr. Mowat and by Professor Newton (ch. vi). Both Professor Hearnshaw and Mr. W. F. Reddaway (ch. viii) discuss at some length the responsibility for the Crimean war, and come to different conclusions, though, ludicrously enough, the section in which Mr. Reddaway expounds his own theory is termed a 'recapitulation' of the results reached by Professor Hearnshaw. The chapters on Schleswig-Holstein and the Ionian Islands are full of useful information, but they are out of scale. It is anomalous that nearly as much space should be allotted to Schleswig-Holstein as to the Crimean war, and much more to the Ionian Islands than to the Asiatic crises of the years 1857-8.

In reading the first two volumes we are struck by the paucity of references to the development of the foreign office and the diplomatic service. Only Dr. Clapham (i. 219-22) and Mr. Temperley (ii. 106-7) seem to be impressed with the importance of this side of diplomatic history. The former gives us some illuminating criticisms of Pitt's principal assistants at home and abroad; the latter explains what improvements of method and system were due to Canning. The omissions of other writers are partly repaired in the instructive and entertaining chapter on the foreign office which Mr. Algernon Cecil contributes to the third volume. This chapter tells us too little about early beginnings, and practically starts with the reorganization of 1782. But already in the first half of the seventeenth century it was usual for one of the two principal secretaries of state to be entrusted with the chief control of foreign affairs; and in his staff—which included a decipherer, an embellisher of dispatches, a Latin secretary, and translating clerks—we may discern at least the nucleus of a foreign office establishment.¹ The secret department of the post office, which opened outward letters, for the convenience of Lord Liverpool and other foreign secretaries, up to 1844 or a little later, can be traced back at least to the times of Thurloe; and no doubt other curious survivals of the Tudor and Stuart periods could be detected by a methodical investigation. But Mr. Cecil has made excellent use of the more recent materials, memoirs, blue books, the financial records of the foreign office (for the years 1801-54) and its unwritten legends. He might have pursued his researches in the financial papers a little further, for they tell us much besides the scale of stipends and allowances. The Report of the Select Committee of 1830-1 on the Civil Lists gives us a most useful conspectus of the diplomatic and consular services in 1786 and in 1815, from which Mr. Cecil might have illustrated very forcibly the contrast between the Europe of Chatham's time and the Europe of Castlereagh's. In 1786 the only courts at which Great Britain maintained ambassadors extraordinary were Paris and Madrid; her representatives at Vienna, Berlin, and St. Petersburg ranked no higher than those at Turin, Naples, Florence, and Lisbon; her ambassador at Constantinople was paid on the same scale as her minister at Cologne and her resident at Venice. By 1815 some of the obvious anomalies had been corrected, and steps were being taken to organize the diplomatic service more efficiently. But the strong

¹ F. M. G. Evans, *The Principal Secretary of State* (1923), pp. 159-61, 181.

point of this chapter is that it tells us some things which are not yet in books, as, for example, that Lord Salisbury used the private letter for diplomatic purposes as extensively as Lord Palmerston had used it, so that 'in his private correspondence the Historical Manuscripts Commission of a century hence will find materials for several new volumes of Cecil Papers'. Mr. Cecil has been led, by his intimate knowledge of present condition in the foreign office, to discuss some modern problems which have hardly passed as yet into the historical domain (pp. 624-30). This, however, is a venial fault.

A large part of the third volume is written by two hands. Mr. W. H. Dawson has described (pp. 72-262) the diplomacy of the years 1874-99, and Dr. Gooch (pp. 294-538) the gradual drift towards a European war, the diplomacy of the war period, and the peace negotiations of 1918-19. Each has undertaken a gigantic task; each is exceptionally qualified to perform it. But we suspect that Mr. Dawson has found insufficient opportunities of revising his very careful contributions in the light of recent disclosures. Otherwise he would surely have given a more definite account of Salisbury's Mediterranean Agreement; he would have pointed out that Bismarck was flagrantly dishonest to Russia, to Austria, and to England in guaranteeing that agreement only a few months after signing the Reinsurance Treaty; and he would have given a livelier account of Bismarck's adventure in colonial statesmanship. Dr. Gooch, both in his narrative and in his bibliography, shows himself equipped to the last button. These chapters, together with his *History of Modern Europe*, form an indispensable chart to the new literature dealing with the origins and causes of the war of 1914.

H. W. C. DAVIES.

Les Jacobins de Colmar. Procès-verbaux des Séances de la Société Populaire (1791-5). Par PAUL LEULLIOT. (Strasbourg: Istra, 1923.)

THIS work was offered by the author, a junior master at the *Lycée* at Colmar, as a thesis for the history diploma of the university of Strasbourg. The volume contains the text of the proceedings of the society, supplemented by letters and other relevant papers, with copious notes and cross-references, not free from textual inaccuracies. It opens with an excellent short introduction, summarizing the history of the society, and concludes with appendixes, giving a list of over one thousand members, and a good index. Is this detailed record of a society, calling itself popular and yet never consisting of more than 400 active members out of a population of over 13,000, a valuable contribution to the history of the French Revolution? The society of the Friends of the Constitution of Colmar was started by 14 foundation members on 30 January 1791, affiliated to the parent society in Paris early in February, and could boast of close on 400 members by 18 March. From this date until 27 May 1793 there are no reports of proceedings, though there is evidence that the society was in being in 1791, had seceded to the *Feuillants* in July, and rejoined the *Jacobins* by November. At the end of May 1793 the society, now styled the Friends of Liberty and Equality, resumed regular meetings and appointed a dele-

gate to the federalist conference at Nancy, but the Gironde having fallen before his return, the society repudiated his mission and refused him his expenses. When Hérault de Séchelles arrived as *représentant en mission* in November, he regenerated the society by nominating twelve members, who nominated twelve others, and these twenty-four in their turn nominated a further twenty-four. The object of the regenerated popular revolutionary society was 'to propagate republican principles, the hate of tyrants, federalists, *feuillants*, egoists, moderates, and all enemies of liberty'. But aristocrats and moderates still remained, and in February 1794 a new purification was begun. Before it was completed, the representative, Foussedoire, asked the society whether the local authorities were worthy of confidence, but when the majority voted for their retention, 'the *montagnard* members observed with republican energy that aristocracy had dominated the will of the real *sans-culottes*', and Foussedoire declared the proceedings nul. By the end of the month a purified society of 60 members purged the public bodies by excluding, among others, the president of the criminal tribunal and two judges. The fall of the Hébertists necessitated still another purification in March, but even then they were not pure enough for Foussedoire's successor, Hentz, who accused the department of counter-revolution, the commune of Colmar of having only 12 revolutionaries and 30 patriots, and the society, with 250 members, of being too large. The fall of Robespierre led to his speedy recall. With the growth of the Thermidorean reaction, the society sank to the position of a debating society. When the attendance fell to little more than a dozen, one reason given was that the proceedings were no longer translated into German, and many members did not understand French at all. Another more cogent reason was that members were afraid of being thought terrorists. At length it was impossible to elect new officers, and the society was already moribund, when in June 1795 all popular societies were suppressed because they had interfered with the constituted authorities.

The publication of this volume by the university appears to be fully justified, since it is only by comparing the proceedings of a number of provincial societies that it is possible to discover to what extent they followed the lead of Paris, and to understand how an active minority can impose revolutionary government on a passive majority.

M. A. PICKFORD.

Manin and the Venetian Revolution of 1848. By GEORGE MACAULAY TREVELYAN. (London: Longmans, 1923.)

MR. TREVELYAN has added a fourth volume to his Italian trilogy by this sketch of the Venetian patriot, whom he describes as 'the greatest and the noblest of the Italian statesmen who were brought to the front by the events of that year'. If Manin be not so picturesque a figure as Garibaldi, the resistance of Venice under his leadership is the finest episode in Venetian history since the defence of Candia. The biographer's great local knowledge of Venice, which the present reviewer has verified on the spot, and his experience during the late war on the theatre of the operations of 1848, have enabled him to draw a graphic picture, based upon a firm background

of solid research and much knowledge of the Italian character. He is no blind Boswellian. He sees the two main defects of Manin's statesmanship: his failure 'to adjust the relations of Venice to the cities of the *terra firma*', to which he consequently appeared to be a despot, and his failure 'to create a military force'. Thus he neither granted the political aspirations, nor could defend the existence, of the Venetian mainland. To these errors may be added his neglect of the navy. Manin, in short, was not a great war minister. Few leaders of liberalism in 1848 were.

The book begins with an admirable survey of Venetian history down to Manin's entry on public life, Venice declined when she ceased to be Levantine and became Italian: her prosperity was on the water, not on the land. 'When her neighbours went to war' she showed her neutrality by allowing their 'armies to march and fight at will in her territory', and her 'independence had no hero and no martyr'. So good an Italian as Mr. Trevelyan candidly admits that even Austrian rule, especially in its first period, 'had its good points'. General Ricciotti Garibaldi once told the reviewer that his father attributed the subsequent progress of Lombardy and Venice to their discipline under Austria, and South Tyrol may tell the same story. When he comes to the life of Manin, the author truly remarks how completely the Jews of Italy merge in the Italians: Baron Sonnino and Senator Luzzatti are examples. He shows also how Tommaseo, Manin's friendly opponent, believed that 'the natural friends of Italy were the Slavs of the South'. He describes Manin's three obstacles in his own camp: the Mazzinians, who found the Venetian Republic 'an archaeological survival'; the conservatives, who wanted a monarchy under Carlo Alberto; and Tommaseo, whose ideal was a federation under the pope. Manin considered Piedmontese monarchical propaganda to have been the principal cause of the failure of the war of independence, while the papal declaration of neutrality demonstrated that the 'head of a cosmopolitan church' finds it hard in war to be also 'an Italian patriot'. The five days of royal rule in Venice were futile; liberal catholicism survived with Fogazzaro.

The narrative contains some striking descriptions, such as the fraternization of the Nicolotti and the Castellani and the murder of Marinovich at the arsenal. All the lions before that building (p. 100) were not 'brought from the Piraeus'; one came from Corfu; 'Grand Dukes' (p. 223) is a slip for 'Archdukes', and one of the latter is usually called 'Rainer', not in the Italian form 'Ranieri' (pp. 92, 98, 130, 134). The maps and illustrations are excellent.

WILLIAM MILLER.

History of Modern Europe, 1878-1919. By G. P. GOOCH, D.Litt. (London: Cassell, 1923.)

Bismarck's Diplomacy at its Zenith. By JOSEPH VINCENT FULLER. (Harvard Historical Series, vol. xxvi. Cambridge, Massachusetts: Harvard University Press, 1922.)

No book was more urgently needed than the history which Dr. Gooch has given us. A steady trickle of documents, memoirs, and indiscretions began to appear soon after the outbreak of the late war, and this has

swollen into a torrent since the conclusion of the peace. The archives of the defeated powers have been thrown open to the historian by the change in the governments, and already we possess a large amount of reliable evidence which had influenced and will influence still further the whole of our conceptions of this period. Before the war its sources were so far unknown that the historian left it almost entirely to the journalist. There is of course much yet to be discovered about it. In spite of the devastating effect of the war on the governments of Europe, some of the principal actors are still alive and even in power, and the archives of the victorious states are still closely guarded. But an immense amount of new evidence has been revealed and the main lines of the period can be fairly clearly seen, even if many of the conclusions must as yet be only provisional.

Dr. Gooch has surveyed this evidence in his 700 pages, which are designed as a continuation of Fyffe's *Modern Europe*, 'the colours of which', as Dr. Gooch well says, 'are as fresh to-day as when they were painted'. He has not, however, been entirely faithful to his model. Fyffe's book was a history of internal development as well as of international affairs, though it is true that he devoted considerable space to the latter. Dr. Gooch's book is almost entirely confined to the diplomatic struggles of these years, and domestic events are only mentioned incidentally. The book ought therefore to be entitled a 'History of European Diplomacy'. Judged from this point of view it is a masterly survey of one of the most momentous and complicated series of events in the whole of history. No other general account of the period has yet been written in any language which surpasses it in clarity, judgement, and knowledge. The evidence is everywhere clearly marshalled, and the tangle of conflicting policies woven into a coherent whole. The impression of confusion and misunderstanding, indeed, remains, for that the period is one of 'international anarchy' is Dr. Gooch's final judgement; but the motives and desires of the great powers whose conflicting ambitions finally resulted in the war are analysed and revealed in a convincing and dispassionate narrative.

The dissolution of the Russo-German alliance, the formation of the dual alliance, and the gradual growth of the Anglo-French and Anglo-Russian ententes as a result of the Anglo-German rivalry, are traced in successive chapters. Colonial and eastern affairs are only mentioned in so far as they affect the European struggle, but their influence is adequately indicated. Towards the close of the period, indeed, in spite of Dr. Gooch's efforts, 'Europe' is to some extent merged in the rest of the world, and its problems complicated, if not obscured, by the fact that in the course of this half-century the world had become one whole as never before. But the scene is surveyed entirely from the angle of Europe, and rightly so, for the key to its problems still lay in the chancelleries and parliaments of the European world.

Dr. Gooch is sparing of criticism. He is for the most part content to allow the facts to imply their own judgements. He imputes, it is true, the greatest share of the blame in the final issue to the three 'despotic empires', but acquits their 'civilian leaders' of desiring war, however culpable their choice of methods. For the rest he so marshals his facts as to make the final decisions of the several powers appear to be almost

inevitable. This is doubtless a point of view that may be challenged, but the evidence on which his narrative rests makes his conclusions as convincing as most historical judgements. Of the impartiality, skill, and historic sympathy which have brought him to these conclusions every page of the book down to 1914 bears ample testimony.

The closing chapters of the book which deal with the war and the peace are scarcely so convincing. Dr. Gooch is not altogether happy as a military historian, and it may be doubted if he has completely mastered all the elements which influenced the strategy of the campaigns. Moreover, the evidence which we possess of these years is less complete and more suspect than that of the earlier period. The description of the peace conference itself was written before the appearance of Mr. Stannard Baker's book with its indispensable documents. Dr. Gooch adopts, sometimes too readily, accounts written in the thick of the conflict and thus necessarily imperfectly informed and influenced by passion and prejudice. Nevertheless the book is a great contribution to historical knowledge, and should remain for long a source to which all can look with confidence for the outlines of European diplomacy, while scholars can amplify and criticize as evidence accumulates and the desire for truth increases.

Professor Fuller's monograph is exactly the kind of study needed to fill out the outlines of Dr. Gooch's history. It deals mainly with the years 1885-8, and its scholarship is worthy of the series in which it has been issued. It draws upon all the available printed sources, the Russian as well as those more commonly used, and the result has been a singularly complete account of the diplomacy of these years. It is notable also for the wise use made of the newspapers of the period, a source absolutely necessary for the proper understanding of Bismarck's diplomatic methods. The author confirms the judgement that is now beginning to be widely accepted that Bismarck was to a large extent responsible for the failure of his successors, and that the diplomatic situation in which Germany found herself shortly after his fall was created before he was driven from office. The main difference between him and succeeding chancellors was perhaps that Bismarck appreciated more certainly the possibilities and dangers of the coalition which subsequently overthrew the empire which he had founded. He had something of the same prophetic power which Metternich possessed, but like Metternich also he had accepted the policy and methods which made the catastrophe almost inevitable. Amongst the numerous quotations which Mr. Fuller makes from the German official publication of the archives, none is more interesting than a note by the chancellor in 1886 :

But Austria must never break with Russia, relying solely on German support and without a guarantee of the attitude of the Western Powers. As things now stand in England and France, we might thereby pave the way for a Russo-Anglo-French coalition, in the face of which the situation of the allied Empires would be most difficult and the trustworthiness of Italy become doubtful.

Bismarck himself professed to believe that nothing of value to historians would be found in the archives of any foreign office. Even the newspapers, he said, would be a better guide to the secrets of the governments. His

words are already refuted, and by means of such scientific and imaginative work as Mr. Fuller has given us in his monograph, the beliefs and desires even of the great master of deception will be clearly revealed to posterity.

C. K. WEBSTER.

Memoirs of my Life. By GIOVANNI GIOLITTI. Translated from the Italian by EDWARD STORER. With an Introduction by O. MALAGODI. (London: Chapman and Dodd, 1923.)

SIGNOR GIOLITTI occupies an almost unique place in the history of modern Italy. Not an orator, not a great statesman, not a great legislator, not a romantic figure, not a man of literary culture, he has been the greatest parliamentary manager of his time. No Italian politician, not even Cavour and Depretis (who in many respects resembled him), held the premiership so long; for nearly twenty years he governed Italy either directly as five times prime minister and six times minister of the interior, or indirectly by means of lieutenants, who kept his place till it suited him to resume it. His career is an example of the phenomenon, unsuspected by the theoretical apostles of democratic government, that under a parliamentary system, especially when, as in Italy, numerous groups replace the two traditional parties, the man most likely to keep in power is the master of legerdemain, who can devise and maintain a combination of different sections. Depretis in 1876 invented this art of *trasformismo*; Signor Giolitti perfected it.

By temperament and training the author of these *Memoirs* differed from the average Italian premier. A Piedmontese, and cold at that, he has never indulged in rhetoric, loathes theatrical gestures and heroics, never quotes Dante, never speaks for more than ten minutes. His *Memoirs* in the original were typical of the man. They were composed without literary embellishment, and were a plain, unvarnished statement of events. They remind us of Caesar's *Commentaries* in their simplicity and their value to the future historian. Indeed we have read no more interesting book about modern Italy. Of course in dealing with the two most criticized episodes of his career, the Banca Romana scandals and the European war, the author puts the most favourable colour upon his actions. But, in the latter case especially, he is singularly convincing. In both cases he rehabilitated himself after long periods of self-effacement; in the latter he showed remarkable magnanimity to the many friends who had abandoned him in his hour of unpopularity.

Born at Mondovì in 1842, Signor Giolitti was, as an only son of a widow, unable to take part in the war of 1859, and, unlike Crispi, had practically no connexion with the Risorgimento. His public career belongs to the grey zone of Italian politics, which extended from the occupation of Rome to the advent of Signor Mussolini. Neither a 'red shirt' nor a 'black shirt', he was nicknamed *palamidone*—the 'big frock-coat'—which he used formerly to wear and which typified the bureaucrat. For he entered politics through the civil service, at the mature age of forty, with an unrivalled acquaintance of every tiny mechanism of the complicated Italian administration such as no other politician possessed.

He spoke of what he knew, not from a brief, thus commanding a respectful hearing, and in 1892 became premier at what was then regarded as the early age of forty-nine. Like many eminent statesmen, he had not been particularly distinguished at school, with the significant exception that 'of all studies history attracted' him 'most, and in this subject' he 'often took the prize'. His favourite reading as a boy was Walter Scott. A great walker, he has always lived a simple, healthy life, and he believes his skill in fencing to have assisted him in the verbal encounters of parliament.

His strength lay in internal politics, in finance, and in administration; for, although involved in foreign policy against his will on several notable occasions, he cared for and knew as little about it as did Depretis. He has always sat on the left in the chamber, and labelled himself a liberal—a term which, in Italy, has a wide interpretation—but he was really an opportunist, winning elections now with the aid of one party and now with that of another. That he never lost any of the general elections which he 'made' as premier is significant. But, as he writes of Depretis, 'is it absolutely necessary for a statesman to be ingenuous?' He has put on record, as the result of his vast experience, the chief qualities essential to a political leader. They are 'complete frankness' and abstention from making promises, while he never committed Baron Sonnino's mistake of shutting himself up and neglecting the human factor. He also makes, in connexion with his appointment of Signor Tittoni, then prefect of Naples, to the foreign office in 1903, the pertinent remark, that 'it is easier for a capable parliamentarian to become a good diplomat than for a good diplomat to acquire the qualities and experience necessary to make an able parliamentarian'. British practice, which rarely makes an ambassador foreign secretary, herein agrees with Signor Giolitti.

Opposed by nature to wars, and the opposite of a Chauvinist, he was premier when the Libyan war broke out in 1911. Although he was not enthusiastic, he doggedly carried through that struggle, in spite of great diplomatic difficulties. His account throws much light upon the negotiations which ended in the first treaty of Lausanne. He employed Commendatore (now Count) Volpi, then known only as a financier but now governor of Tripoli, as unofficial and afterwards official negotiator, a thoroughly characteristic appointment, much criticized at the time. It was largely owing to the premier's energetic policy of an eight days' ultimatum to Turkey, then menaced with the first Balkan war, that the first peace of Lausanne—in marked contrast with the second—was finally signed. In the event of further Turkish procrastination he intended to order the bombardment of Smyrna and the cutting of the railway at Dedeagatch. The former of these threats could, however, scarcely have been effected, for as the author confesses, 'when we thought it convenient to move the field of war from Libya to the Aegean, everywhere we found British, German, Russian, French and even American, but never Turkish interests'. While justifying his humdrum method of conducting this war, he abstains from expressing a judgement upon the permanent value of Libya to Italy. One aspect of that war concerned Great Britain: the Italian nationalists then realized that Malta lay between Sicily and their new African colony. Moreover, the hostile attitude of the foreign

press towards 'our enterprise' laid the foundations of that extreme sensitiveness to foreign criticism characteristic of Italians since then. The year of the Libyan war was the turning-point of Italian public opinion. Before that imperialism did not exist in Italy; now it has become a commonplace there. Signor Giolitti, who rarely takes long views, ignores this result of the Turco-Italian conflict, which he considers 'as a detached episode'. It was, on the contrary, the first manifestation of Italian nationalism, of which Senator Corradini in *L'Ora di Tripoli* was the prophet.

The most important part of the book is that which describes Signor Giolitti's two refusals to support Austrian aggression in the Balkans in 1913. His second refusal in August, when Austria informed Italy of her intention of taking action against Serbia, was already known from his statement in the Italian chamber in 1914; his former opposition to the Austrian proposal for an Austro-Italian naval demonstration against Montenegro is published for the first time in these *Memoirs*. He thus acquired the merit of postponing for another year the European war, while his revelations prove that Austria intended to attack Serbia long before the Sarajevo murders. In the question of the Dodekanese, he was never in favour of annexation, especially as Great Britain 'made it clearly understood that, even at the cost of a war, she would not permit any of the Aegean islands to remain in the possession of a great power'. His policy was to restore them 'to Turkey as soon as she has fully satisfied the obligations assumed by her' under the first treaty of Lausanne. Ten years later this question still remains unsettled.

When the European war broke out, Signor Giolitti, no longer in power, advised neutrality, while Baron Sonnino (who subsequently became foreign minister) was at first 'of the opinion that we should follow our allies'. He truly adds that many of the most fervent nationalists who afterwards denounced him as a traitor were also then in favour of going to war on the side of the central empires. He points out that the Salandra cabinet, as the financial arrangements of the 'secret' treaty of London proved, expected the war to last only a few months, whereas he foretold 'that it would take at least three years' to defeat Germany and Austria-Hungary. He urged—what was also true—that the Italian element in Austria was not sufficiently numerous to make her very loath to cede it, and would gravitate to Italy whenever the inevitable break-up of 'the ramshackle Empire of the Habsburgs' took place. No one then imagined that the United States would intervene, while to Signor Giolitti it seemed to be 'Italy's interest that the balance of European power be maintained'. Finally, Italy had not guaranteed the neutrality of Belgium; but she had guaranteed that of Luxemburg. Signor Giolitti makes a point against Signor Salandra, when he reminds us that the treaty of London bound 'Italy to declare war simultaneously against Austria and Germany'. The latter obligation was concealed from parliament and the country, and it was reserved for Signor Salandra's successor, Signor Boselli, to declare war on Germany. This was a grave omission on the part of Signor Salandra, especially as the unhappy phrase then current, *la nostra guerra*, led foreigners to believe that Italy was only interested

in fighting Austria. Equally unfortunate was the definition of Italian policy as *sacro egoismo*. It will thus be seen that Signor Giolitti was not Germanophil but neutralist, and that he had some good reasons for his neutrality, while, as so fervent an interventionist as Signor Bissolati informed the reviewer early in May 1915, the majority of both the chamber and the country was then of Signor Giolitti's opinion. Italy's intervention, like most revolutions, was the work of an intellectual minority. It was not a spontaneous impulse on the part of the government, which carefully bargained with both sides—though, in the case of Austria, probably only to amuse her—almost up to the last moment. The 'secret' treaty of London once signed, war followed a month later. As soon as it was declared Signor Giolitti 'retired to Cavour', his Piedmontese abode, and 'refrained from all utterances which might cause annoyance'. After Caporetto he publicly shook hands with Signor Salandra, 'to show that in that moment there should be no divisions'.

Signor Giolitti 'took no part in the conclusion of peace'; but he rightly points out that the fault of losing Fiume was due to Baron Sonnino, who never asked for it, even during the negotiations. But when, in 1920, he became premier for the fifth time, he found himself faced with the Fiuman, Albanian, and Yugoslav questions. No one but he could have got D'Annunzio out of Fiume; his evacuation of Albania by the Tirana agreement of 1921 was praised by so good a judge as the late Take Jonsescu; and his personal influence went far towards the conclusion of the treaty of Rapallo. On that occasion his very ignorance of foreign affairs was useful, for it led him to take a wider view than the experts, lost in unimportant questions of detail: for he was no geographer.

The *Memoirs* end with the resignation of this ministry in 1921, and consequently contain no appreciation of the new departure in Italian politics. The translation is what might have been expected from Mr. Storer's journalistic experience in Italy, and fortunately the Giolittian style, with its lack of 'perpetual' epithets and rhetorical adjectives, can be turned well into English. Here and there a proper name has been erroneously given. None but Italians would recognize Thasos under the form 'Tasso' (p. 369); Spaventa (p. 47) and Mirabello (p. 161) are misprinted. Senator Malagodi, the premier's faithful journalistic henchman, who persuaded him to write his *Memoirs* and collected some of the necessary documents, has contributed a good introduction, although Signor Giolitti needed no presentation.

WILLIAM MILLER.

Short Notices

In the earlier years of this Review each number had a separate section, 'Contents of Periodical Publications', but for a good many years this section has been dropped. Attention has indeed been drawn in the 'Short Notices' to the more important articles in certain historical periodicals, but many periodicals have passed unnoticed. The present confusion of the publishing industry and the postal services of many countries put great difficulties in the way of any attempt at a systematic survey of periodical publications, and the need for such a survey is already partly met by existing lists, such as those of the *Revue Historique* and *Revue d'Histoire Ecclésiastique*; but it is clear that a return to our earlier plan will meet a real demand of English historical students. It has therefore been decided to include in the July number of each volume, beginning with July next, a list of the more important contents of other historical periodicals published in the preceding year and of important historical articles in other periodicals. This will involve an increase of the size of the July number, but the price will not be altered.

G. N. C.

The growth in the number of English historical periodicals, a welcome sign of the vigour of historical studies, makes such a step doubly necessary. In our last number we noticed the *Bulletin of the Institute of Historical Research*; now we have before us the first number of the *Cambridge Historical Journal* (Cambridge: University Press, 1923). Each of these, like our other valued contemporary *History*, has its well-defined scope, and we are confident, not only that there is room for all of them, but more than that, that the success of each can and should do good to each of the others; but it will obviously be useful to show in one place what each is contributing to the progress of knowledge. The *Cambridge Journal* is, for the present, to be published annually; Mr. Temperley is honorary editor, with a strong editorial committee. The first number has four articles. Professor Bury discusses the 'lost' Britannic Caesarea; Mr. Previté-Orton gives a survey of recent work in Italian medieval history; Sir Ernest Satow deals with 'Peacemaking, Old and New', and Dr. Gooch writes on Baron von Holstein's activity at the German foreign office from 1890 to 1906. Six 'Notes and Communications' deal with a variety of smaller questions. We must congratulate the promoters and contributors on an excellent beginning.

G. N. C.

It would be impossible for a single reviewer to deal satisfactorily with all the chapters of the first volume of the *Cambridge Ancient History*

(Cambridge : University Press, 1923). This has the sub-title *Egypt and Babylonia to 1580 B.C.*, and is to be followed by seven other volumes. The methods of treatment are necessarily somewhat different from those of the other great Cambridge co-operative histories, with which this will form a continuous series. A large proportion of the subject-matter is still highly controversial, so that the editors (Professor Bury, Dr. S. A. Cook, and Mr. F. E. Adcock) have not been able to eliminate contradictions between the conclusions of the several authors. Even their aims are not quite alike : Professor Myres, for instance, gives some venturesome speculations which are surprising in a work of this kind. But his name and those of Professor Macalister, Dr. Cook, Dr. H. R. Hall, Mr. Wace, Mr. Peet, Mr. Langdon, and Mr. Campbell Thompson are proof of the high standard of work in what will be an accepted book of reference. A.

In spite of the great work done by Mommsen in his *Staatsrecht*, the subject of the powers of the Roman princeps is still a centre of controversy. Professor McFayden, whose essay on the title Imperator was recently noticed in this Review,¹ has now published an interesting study on *The Rise of the Princes' Jurisdiction within the City of Rome* (Washington University Studies, April 1923), in which he combats certain of Mommsen's views. He objects strongly to the use of the term 'dyarchy' as a description of the principate, and to the assumption that from the time of Augustus the princeps was admitted to possess within the city a power of jurisdiction parallel to that of the senate. He attempts to explain away the numerous passages in ancient authorities on which Mommsen relies by laying stress on the *patria potestas* exercised by the princeps over members of the imperial family and on the powers which he possessed as 'proconsul of fully half the empire' (a rather questionable expression in view of Dio 53. 32). Though Dr. McFayden is undoubtedly right in pointing out that the princeps preferred to have his judicial work done for him by the senate and the city prefect, he has not succeeded in convincing us that it is wrong to speak of 'the court of the princeps'. A very unfortunate blunder is made on the first page, where we are told that 13 January 27 B. C. was treated as the day on which Augustus 'assumed the government of the world'. In the inscription of Narbonne referred to in the note and also in the *Feriale Cumanum* the day referred to is 7 January, on which Augustus received *imperium* in 43 B. C. Again, on p. 225 there seems to be some confusion between the enrolment of *equites* in *turmae* and the appointment of members of the *decuriae iudicum*. On the whole, however, the writer has a good command of his authorities, and uses them with considerable ingenuity. G. H. S.

An addition to many works in recent years about the Celtic Church is Dom Louis Gougaud's *Gaelic Pioneers of Christianity* (Dublin : Gill, 1923), which has been admirably translated into English by Mr. Victor Collins. It only touches on a fringe of the subject, namely the work of Celtic missionaries on the Continent. It forms a companion volume to Miss Margaret Stokes's *Six Months in the Apennines in Search of the Vestiges*

¹ *Ante*, xxxv. 466.

of the *Irish Saints in Italy*, and her *Three Months in the Forests of France in Search of Vestiges of Irish Saints*. It enumerates many names which do not occur in these volumes and which probably could not be found in any dictionary of Christian biography. Dom Gougaud narrates the miracles and legends connected with them, wisely refraining from distinguishing between fable and history. His conclusion seems just that they were on the whole an unlearned set of men and were practically ignorant of Greek, in spite of Greek words and characters being interspersed in many surviving Celtic manuscripts. This book is well indexed as far as names of places and persons are concerned, but if the author had included such words as wells, forests, horses, cattle, &c., the book would have been more acceptable to the mythologist as well as to the historian. F. E. W.

So long a period has elapsed since the appearance of Langebek's monumental *Scriptores Rerum Danicarum* that a new edition of the early Danish Chronicles was more than due, and it is fortunate that this has been undertaken by so expert and so careful a worker as Miss Ellen Jørgensen. In her *Annales Danici Medii Ævi* (Copenhagen : Gad, 1920) the student of history has now presented to him in a convenient form the genuine text (so far as this has been preserved) of all the Danish annals down to the middle of the fourteenth century. Unfortunately, owing to the destructive fire of Copenhagen in 1728, the original manuscripts of these have been preserved in only two instances, and the text of the remainder depends mainly on copies from the sixteenth and seventeenth centuries. The earliest of all, a chronicle compiled in the diocese of Lund, removed at an early date to Colgaz in Pomerania, and now preserved in Berlin, dates from the beginning of the twelfth century. This was compiled on western models, the Danish entries being added to Anglo-Norman annals based upon Bede and Isidore. The foreign origin and influence, so obvious here, is prominent in the earlier portions of most of the chronicles, which show remarkably little knowledge of, or even interest in, Danish affairs before the eleventh century. The Lund Annals, which end in 1307, are typical in this respect, containing first general history from Anglo-Norman sources, then older Danish history from Adam of Bremen, with some native matter, and finally genuine national entries, which from 1250 become fuller and more independent, latterly forming a good first-hand historical authority. The first really Danish set of annals is that connected with the monastery of Ryd near Flensburg, a chronicle of Danish kings from Dan to Erik Menved, which from 1230 onwards displays a special interest in the history of Slesvig. This became a very popular work, and exists in Danish translations as well as in the Latin original, but it contains far more matter from the mythical and prehistoric times than from the historic period. More important for the latter are the Valdemar Chronicle from 1074 to 1219, which exhibits a distinct political interest, and seems to have had its origin in the court rather than in the cloister, and the notable *Chronica Sialandiae*, which is continued down to 1363. For the earlier period the various annals are printed separately ; from 1130 to 1300 comparison of a certain number is assisted by arrangement in parallel columns. On the whole these Danish annals contain

remarkably little that is of general interest; the early entries are usually brief and without independent value, while the later are concerned almost exclusively with internal affairs. The consultation of them for all purposes, however, is now rendered easy by the excellent indexes of persons and places with which this new edition is provided. W. A. C.

Mr. Hoffman Nickerson's book *The Inquisition: A Political and Military Study of its Establishment* (London: Bale and Danielsson, 1923) contains an intelligent and interesting account of the Albigenian wars, embedded in an anti-prohibitionist tract. The author, who informs his readers that he is an American episcopalian, is genuinely disturbed by the tyranny of the prohibitionist movement in the United States. The inquisition is generally considered to be a tyrannical instrument of interference with liberty, but prohibition, the offspring of protestantism and materialism, has really much less to say for itself. In this curious setting Mr. Nickerson's observations upon medieval society will not receive the attention which they deserve. The chapters on the military history and geography of the Albigenian crusades, with the accompanying maps, are written clearly, with zest and vivacity. The author has been over the ground, has read the chief authorities, and is interested in medieval archaeology. These chapters are the core of the book. The rest, which is concerned with the Manichæan heresy and the justification for its suppression, is written from a point of view much more frequented than Mr. Nickerson appears to realize. Mr. Belloc contributes a characteristic preface. F. M. P.

Father E. de Moreau's *Un Évêque de Tournai au xiv^e Siècle: Philippe d'Arbois (1378)*, an offprint from the first number of the *Revue Belge de Philologie et d'Histoire*, is a painstaking account of the career of the Burgundian clerk who was successively dean of St. Donatien, Bruges (1335-49), and bishop of Noyon (1349-51) and Tournai (1351-78). The paper recounts his various benefices, his diplomatic activities at Avignon and elsewhere in the interests of the king of France and the French party in Flanders, and particularly in negotiating the marriage of Louis de Male with Margaret of Brabant, his episcopal acts and his benefactions to the see of Tournai. He was fortunate enough to become a bishop after the interdict had been removed from Flanders, and to die just before the great schism. C. J.

General G. von Schoch has contributed to the 'Bücherei der Kultur und Geschichte'—a series which is designed to distribute rather than to increase knowledge of political conditions—a little volume of some 280 pages on *Die politischen Beziehungen zwischen Deutschland und England vom Ausgang des Mittelalters bis zum Jahre 1815* (Bonn: Schroeder, 1921). The author makes no pretensions to original research, but he has read widely on his subject, and has collected, for the most part from the works of recognized historians, a vast number of statements and quotations which he has incorporated in his narrative. Only twenty pages are devoted to the two centuries before the accession of William III, so that attention is

concentrated on the relations of England with German states, and mainly with Austria and Prussia, from 1688 to 1815. As the author writes frankly from a Prussian point of view, even Austria is comparatively neglected, and none of the lesser German states, except Hanover—a necessary exception—figures at all prominently. General von Schoch makes as little claim to impartiality as to originality. He admits that England did not originate the recent war, but contends that, as the most resolute enemy of Germany, England must be hated by every German patriot. As during the period surveyed England was not at war with any German state, except for a few months with Prussia in 1806, and was generally the ally of one or other of the principal German states, this hatred can only find expression in a persistent belittling of English intervention in all the great European wars, and in a resolute contention that this intervention was more harmful than beneficial to Germany, whose interests were always sacrificed on the termination of the war. In the treaty of Ryswick England did not insist upon the restoration of Strasburg. At Utrecht France was allowed to retain Alsace, and though Prussia gained Gelderland, it only did so by bribing Lord Strafford. The loss of Lorraine was due wholly to Walpole's criminal neutrality in the Polish Succession War. It is admitted that England twice insisted upon the cession of Silesia to Frederick the Great, but this should have been done immediately on the assertion of Frederick's claim, whereas the first impulse of England was to punish the Prussian king for his failure to support the Pragmatic Sanction. More startling is the treatment of the Seven Years' war. While praising Pitt's loyalty to Prussia in order to contrast it with the subsequent conduct of Bute, the author holds that Frederick owed nothing to English assistance, that he was saved solely by his own military skill, and that there was no parallel for an alliance which left one partner empty handed at the end of a great war, whereas the other emerged with remarkable gains. In the same spirit England is denounced for its opposition to Prussian designs on Danzig and Thorn at the time of the Triple Alliance, to Prussian claims to the whole of Saxony at the Congress of Vienna, and to the demand for the restoration of Alsace and Lorraine at the time of the second treaty of Paris in 1815. Yet, in spite of this unconcealed bias, and partially because of it, the book is worth reading. It gives a clear and succinct account, from a German point of view, of an important period of history.

R. L.

Those who have used Chéruel's small historical dictionary of France, which has served its modest purpose since 1855, will be glad to know that M. Marcel Marion, in his *Dictionnaire des Institutions de la France aux xvii^e et xviii^e Siècles* (Paris: Picard, 1923), has supplied, for those two centuries, something which better fulfils modern requirements. The type is larger, the articles are rather fuller and incorporate the results of recent investigations, and brief indications of available books are added to many of them. The book should be widely useful.

B.

In the fifty-seven pages of introduction to her *Irish History from Contemporary Sources (1509-1610)* (London: Allen and Unwin, 1923) Miss Maxwell gives a concise uncoloured epitome of this crucial century

in the history of Ireland with ample references. This is followed by numerous extracts (pp. 79-291) from contemporary sources arranged, as is the introduction, under the following principal heads, viz. The Irish Policy of Henry VIII, The Reformation, The Elizabethan Conquest, The Tudor Plantations and the Colonization of Ulster, and Social and Economic Conditions. Most of these extracts are necessarily drawn from English or Anglo-Irish sources, but, where available, accounts of events by both Irish and foreign writers, documents from foreign archives, and incitements, laments, and descriptions of social life by Irish bards are included. Thus we are given Miss Knott's rendering of Teig Dall O'Higgin's description of his visit to Maguire's castle at Enniskillen shortly before 1589. It presents a pleasing picture of warriors taking their rest, maidens weaving, artificers fashioning weapons, poets reciting, minstrels singing, and at supper-time all feasting together; but it ends significantly with a foray before dawn into some neighbouring territory, followed by the triumphant home-coming of the victors, who bring back to the castle 'many a stranger woman whose husband is no more', many a wounded hostage, and much fresh loot in treasure and cattle. The book is primarily intended for students and teachers of Irish history, and to these it will afford a much-needed help; but it will also be welcomed by all who wish to form an independent judgement on the mutual relations of England and Ireland during this troublous period.

G. H. O.

The thesis of M. l'Abbé Busson, who was a pupil of M. Abel Lefranc at the École des Hautes Études, on *Les Sources et le Développement du Rationalisme dans la Littérature de la Renaissance* (Paris: Champion, 1922) is of very considerable importance, for it fills an obvious gap in our knowledge of French thought in the sixteenth century. As its title denotes, it is concerned not with rationalism in itself, but with its manifestation in literature, and it takes as its starting-point the year 1533, the year of the first dated edition of *Pantagruel*, though the actual first edition almost certainly appeared in 1532. The two chief sources of French rationalism according to M. Busson are antiquity (Aristotle, Lucian, Plutarch; Cicero, Lucretius) and the Paduan school of philosophy founded by Pomponazzi. This is no doubt true, for it is from antiquity and Italy that almost every intellectual movement of the French Renaissance proceeded. The best known of the writers whose rationalism M. Busson discusses are Rabelais, Des Periers, Montaigne, and Charron, but he is also interesting on the *Libertins spirituels*, especially as regards their relations with Calvin and with Margaret of Navarre, on Tahureau, whose *Dialogues* have recently been discussed by M. Besch in the *Revue du xvi^e Siècle*, on Du Vair and on a less-known anti-rationalist, Jean de Champagnac, and lastly on the important figure of Bodin, the author of the *Heptaplomeres*. The treatment throughout is at once thorough and impartial, and there is little that calls for criticism. Perhaps the first book goes rather too much into detail about the Frenchmen who went to Italy and the Italians who came to France, and it is unfortunate that so prominent a person as Cardinal Pole should be always referred to as R. Pool. M. Busson is good on Rabelais, but he is not quite so satisfactory on Montaigne, whom he

regards as unoriginal and unprogressive in the domain of metaphysics. Now Montaigne makes no pretence at being a metaphysician—he is neither systematic nor dogmatic, nor even consistent—but the thought which emerges from the *Apology for Raimond Sebonde*, that we only know phenomena and that all human knowledge is merely relative, if not wholly original, is at any rate of great importance. In his full discussion of Jean Bodin M. Busson usefully supplements the thesis of M. Chauviré by quoting some passages from the manuscript of the French version of the *Heptaplomeres* which are omitted in M. Chauviré's work. A. T.

As Mrs. Fitzmaurice-Kelly points out in her *Antonio Pérez* (Hispanic Society of America. London: Milford, 1922), an account of her subject, even if the first intention of the book is not historical, must deal with historical problems. She gives a lucid and careful narrative of the strange, sensational, and complicated story of Antonio Pérez, his relations with Philip II, the murder of Escobedo, the imprisonment of Pérez, his flight to Aragon, the conflict between the inquisition and the justicia, and the escape of Pérez to France. The subsequent dealings of Philip with Aragon do not fall within the scope of the book, which follows Pérez to France and to England and traces his personal and diplomatic dealings with the sovereigns and the statesmen of those countries. The value of the book is enhanced by a full bibliography, copious notes, and references to authorities. F. A. K.

Dr. George O'Brien has edited a little volume, *Advertisements for Ireland, being a Description of the State of Ireland in the Reign of James I, contained in a MS. in the Library of Trinity College, Dublin* (Dublin: Society of Antiquaries of Ireland, 1923). We heartily welcome its appearance not merely because of the intrinsic value of the document it incorporates, but more especially because it seems to show that Irish historians are alive to the great misfortune that has befallen them by the burning of the Public Record Office. That event should be a warning to us all to be wise in time and print while we may. To the Irish Free State it is of the greatest importance to preserve what there is still—unfortunately comparatively little—left of its national records. Many years ago, when I read this document (T.C.D. F. 3. 16), I was so impressed with its value and the learning displayed in its opening paragraphs that I was inclined—prematurely as it now appears—to ascribe its authorship to Archbishop Ussher. After reading Dr. O'Brien's argument I am compelled to admit that he has made out an excellent case for Sir Henry Bouchier, afterwards fifth earl of Bath. The only difficulty, as he points out, is the claim of the author to belong to the English-Irish gentry of the Pale. This in the case of the son of an Elizabethan planter sounds very strange; but, if we remember the case of Sir Vincent Gookin, it is not incredible. As for the *Advertisements for Ireland*, it is a document of such importance that it deserves in my opinion to rank almost with Spenser's *View* and Davies's *Discovery*. Like Spenser and Sir John Davies, the author of it writes as an Englishman with a full knowledge of Ireland. Like them, too, he is disdainful of the 'mere Irish' and is more concerned in trying to

explain how it is that Ireland, despite its natural resources and many advantages, has been such a burden to the Crown and in suggesting means to improve the revenue. The subject is too big for a short review, and for the present we must content ourselves with thanking Dr. O'Brien and the R.S.A.I. for presenting us with a valuable historical document, admirably edited and well printed—at Hamburg. To the names of those mentioned by Dr. O'Brien who have consulted the document in manuscript should be added that of Dr. O'Grady, whose *Strafford and Ireland* we notice elsewhere.¹

R. D.

Canon Prunel is well known to students of seventeenth-century France for his excellent *Sebastian Zamet*. His book *La Renaissance Catholique en France au xvii^e Siècle* (Paris: Dexeille, 1921) is of a very different type, consisting of a series of lectures to the Institut Catholique. It contains an excellent summary of the main religious movements in France during this period and is written with conciseness and vigour. The average reader cannot, however, go far before finding statements which, if acceptable to a special audience, are likely to detract from the value of the book. These statements will be found mainly in lecture viii, on the church and science in the seventeenth century. Here we are told that the condemnation of Galileo was due simply to the usual distrust felt for a man in advance of his time, and is matched by Anglican denunciations of Leibniz and Newton (p. 255) and nineteenth-century scepticism of the discoveries of Pasteur. The lecturer takes an even bolder step when he proclaims (p. 264) that religion and science were not opposed in the seventeenth century. Each one had its own preserve. The career of Descartes is alone sufficient confutation of this opinion, for he and his disciples avoided persecution only by absurd attempts to reconcile the Cartesian conception of matter with the Catholic doctrine of the Eucharist. Lecture viii concludes with words which imply that freedom of thought and immorality are generally partners, contemporary Russia being cited as an example.

D. O.

Mr. J. E. Elias has published a second volume of his *Schetsen uit de Geschiedenis van ons Zeewezen* (The Hague: Nijhoff, 1923), of which the first was published in 1916.² It covers the circumstances leading up to the first English war, the efforts of the Dutch to form a really large fleet, Tromp's fight with Blake off Dover, and his fruitless raid on the Downs and his pursuit of Blake to the north which ended with the disastrous storm at the Shetlands in August 1652, which sent both fleets back shattered. The whole forms a most interesting narrative supported by numerous references to original sources, especially of course Dutch sources. It brings into clear relief the great difficulties with which Tromp had to contend. His ships were furnished by many different authorities which had little unity of outlook or policy and were almost uniformly short of money. The anxiety of the country to avoid expenditure resulted in a rate of pay being offered which was quite inadequate, and gave rise to the most unseemly and undesirable competition between the authorities responsible for manning the ships, and the vessels themselves not only

¹ P. 126 above.

² See *ante*, xxxii. 622.

fell far short in numbers of the 150 originally sanctioned by the states-general, but were in many cases of poor quality and badly found. Hence though Tromp did in fact in the end dispose of a fleet greatly in excess of Blake's in numbers, the fleet which he commanded had no corresponding superiority in fighting value. It is curious to find that in the leading maritime state of the time the governing authority had so little understanding of the conditions of war at sea and paid so little heed to professional opinion, that in July 1652 the states-general decided to revictual Tromp's fleet of nearly 100 sail at sea, and the project was only abandoned in face of the determined opposition of Tromp and all his flag officers, who insisted on the danger or even the impossibility of such a proceeding. Tromp had indeed a difficult task. All this and much more is brought out in a very lucid narrative.

H. L.

It is always to be regretted that exigencies of space have necessitated the discontinuance of the introductions by Mr. W. Foster that were, until recently, a valuable feature of the series of *The English Factories in India* (Oxford: Clarendon Press), the latest volume of which (1923) deals with the years 1661-4. Moreover, it is a further matter for regret that the abundance of material necessitates that only quotations can be given from the original documents. The subject of most general interest in the present volume is the cession of Bombay to King Charles; the abortive expedition under Lord Marlborough to take possession and the sufferings of the expeditionary force upon the island of Anjidiv being for the first time fully described from original sources. Of still more dramatic interest are the accounts of the attack made by Sivāji upon Surat in 1664, and the gallant defence of their factory by the English under Sir George Oxenden. For the most part, however, the volume deals with more sordid topics, the squabbles of the English agents amongst themselves, the abuse of private trade, and the familiar complaints of the high-handed proceedings of the Dutch. Students of native customs will note the graphic account of the burial alive of a young woman in the grave of her dead husband.

H. E. E.

Mr. James Muilenberg has made a survey of the available sources of information for 'The Embassy of Everaard van Weede, Lord of Dykvelt, to England in 1687', the results of which are published in *University Studies*, vol. xx (Lincoln, Nebraska, 1920). He has not been fortunate enough to discover any private correspondence between Dykvelt and William of Orange, and, except for a public and a secret letter to the states-general describing Dykvelt's first audience with James II, he has therefore had to use printed materials. His workmanship shows a good many signs of immaturity. Burnet is quoted throughout from a one-volume edition, important persons are not detected when their names are misspelt by the authorities ('a certain Alwin' (p. 20) is Halewijn, 'the Count of Middleton' (p. 26) is easy to identify, but 'the Count of Harram' (p. 26) is an obscure way of describing the earl of Arran); 'Foxcroft' is referred to as a man. Nor is the narrative well managed.

But on several points the principal secondary authorities are corrected and the collection in a small compass of all the information about this mission has its value. G. N. C.

In a well-arranged, lucid, and business-like little book in the series 'Bücherei der Kultur und Geschichte', Herr Max Braubach traces *Die Bedeutung der Subsidien für die Politik im Spanischen Erbfolgekriege* (Bonn : Schroeder, 1923). After an excellent introductory survey of the system of subsidies, he collects from printed sources the facts about the amounts of money paid by the hiring powers and the numbers of troops supplied by the subsidy-receiving princes during the war. The figures and tables form a very useful guide to the difficult questions of the distribution of troops between the different theatres of war. The inferences as to the effect of the subsidies on policy are reasonable and do not ascribe too much effect to the system. If he sees the enfeeblement of the imperial army at the expense of the allied forces in Flanders, Spain, and Italy as its main result, the author does not overlook the other conditions which contributed to this, and he is not in any way blind to the importance of the non-German states and campaigns. G. N. C.

In *La Franc-Maçonnerie Belge sous le Régime Autrichien, 1721-1794* (Louvain : Librairie Universitaire, 1923) Dr. Bertrand van der Schelden has produced a learned history of a somewhat narrow subject. Freemasonry, it appears, was introduced into the Austrian Netherlands from England. It made slow progress and for many years escaped the notice of the authorities of church and state. The bulls of Clement XII and Benedict XIV condemning freemasonry were not published in the Austrian Netherlands and could therefore be ignored. Although the Empress Maria Theresa was unfavourable to freemasonry, she took no effectual measure to suppress it in the Belgian provinces. Her successor, Joseph II, was not likely to be moved by ecclesiastical censures, and he was attracted by the philanthropic aspect of freemasonry. But, in conformity with his despotic craving to control and regulate every form of spontaneous activity, he placed the Belgian freemasons under severe state regulation. It does not appear, however, that this interference contributed appreciably to the subsequent Belgian revolt against the emperor. Dr. van der Schelden, who naturally takes the orthodox Roman Catholic view of the freemasons, regards them as a sect bent on propagating heresy and revolution. In England, whence freemasonry spread into Belgium, they have never incurred suspicion even in the most troubled times and under the most repressive governments. And in Belgium, upon our author's own showing, they do not appear to have gone beyond a little philanthropy and a great deal of hearty eating and drinking. The worst enormity which he has brought to light is that of certain students of the university of Louvain who founded a lodge, got quite drunk, and behaved in a very ill-bred fashion. Many pious laymen and many priests, it appears, were masons. None the less, Dr. van der Schelden holds it proved to demonstration that the masonic doctrine was an anti-Christian doctrine and a danger to the church. F. C. M

According to Miss Kathryn L. Behrens in *Paper Money in Maryland, 1727-1789* (Johns Hopkins University Studies in History and Political Science, xli, no. 1. Baltimore, 1923), Maryland was the one American colony which solved with success the problem of paper money.

The Revolution was the only thing that prevented all the bills from being redeemed at their face value; for the funds provided for the purpose were ample and were steadily increasing, and the assembly was not using them for public finance to a dangerous extent. As a colony Maryland had solved the problem of a paper currency.

Even after the *débâcle*, brought about by the revolutionary struggle, 'As compared with other states Maryland ranks among the first for honorably discharging her obligations'. In her closing chapter Miss Behrens deals with the question of the stock lodged in the Bank of England as security for the redemption of various issues of paper money. The controversy did not end till 1806, when the money was paid over by the British government.

When one considers the treatment accorded to the loyalists in the United States and the Confiscation Act of Maryland, together with the somewhat strained relations that existed during this entire period between Great Britain and the United States, it is somewhat surprising that the former should have displayed so much magnanimity in this matter.

It should be noted that by a curious slip an expedition against Louisbourg is mentioned as occurring in 1695.

H. E. E.

The second volume of Dr. E. C. Burnett's *Letters of Members of the Continental Congress* (Washington: Carnegie Institution, 1923) is of even greater value than the first, in that it contains a greater proportion of material hitherto unpublished. Nowhere else can so clear an idea be obtained of the attitude of the continental congress and of its individual members towards the problems confronting them. Especially on the subject of the commissariat, of finance, and the movement towards confederation, these letters throw additional light; whilst they clearly show the hopelessness of the attempt to perform executive, as well as legislative, functions by the same fluctuating and often imperfectly representative body. The volume also contains notes of debates kept by Secretary Thomson for 24-9 July 1777 which, along with two letters of H. Laurens, give new information regarding a proposed expedition against West Florida; and by Benjamin Rush during February 1777. The abstracts of debates, made by T. Burke of North Carolina, are also of interest; though he is too obviously mainly concerned with what was said by the North Carolina member. It is clear from these letters how often Congress interfered in questions of purely military concern; and we gather from a letters of Laurens of 16 October 1777 how general were the grumblings at the strategy of Washington. The same Laurens, who was soon to become the president of Congress, wrote on 5 September 1777:

Congress is not the respectable body I expected to have found. . . . I see my own private affairs going to wreck. I am helping forward the heavy loss by amazing expenses here. I am adding to the load of troubles which my friends must have from attending to their own concerns and am rendering my country no intrinsic services.

That the United States survived the state of things revealed in these letters, and finally prevailed, is the most damning proof of the incapacity of British statesmanship and strategy.
H. E. E.

In the two volumes of his *Instructions et Dépêches des Résidents de France à Varsovie, 1807-13* (Cracow, 1914), Professor Marcel Handelsman continues the edition of documents bearing on Napoleon's Polish policy which he set forth in his *Napoléon et la Pologne* (1909). The present collection of documents extending to 1,200 pages is by far the most complete which has appeared on Franco-Polish relations in this period, and throws valuable light on the history of the grand duchy of Warsaw. The French resident was charged to send a daily report, and M. Handelsman has published a copious selection furnished with introduction and notes. These last are in Polish, but they contain many extracts from Napoleon's *Correspondance* and other sources. The reports correct prevalent impressions at several points. For instance, the Polish terms of the treaty of Tilsit, which is usually regarded as a sweeping victory for the Poles, aroused at Warsaw 'un mécontentement mêlé de stupeur' owing to the cessions of Bialystok to Russia and 'la basse Vistule' to Prussia, the latter being regarded as very detrimental to Polish commerce. The extensive donations of Polish domains to Napoleon's generals offended many patriots, though others regarded them as guarantees for the new state. The plundering habits of French troops also caused friction between Poles and French, the latter being no longer regarded as liberators. This feeling vanished by degrees, especially when Davout restored discipline. But the finances presented a heavy problem, the total revenue for the first year being 10,504,544 francs against expenses of 23,307,158 francs; and, as the constitutional statute forbade new taxes before 1809, the interval was one of confusion, which was increased by the resistance of the *grande noblesse* to the reforms of the *Code Napoléon*. The arrival of the king of Saxony calmed the effervescence, and the war of 1809, despite the first successes of the Austrians and their advance on Warsaw, was popular. So too was the acquisition of Galicia, which however led to the increase of the Polish contingent of troops from 30,000 to 60,000. Bignon's and Pradt's dispatches from Warsaw in 1810-13 form a source of great importance, which must be consulted in preference to their later and not always unbiased narratives.
J. H. RE.

In an earlier number¹ we expressed an opinion that Dr. Eduard Fueter's book on the nineteenth century deserved an English translation. That which has been made by Professor S. B. Fay with the title *World History, 1815-1920* (London: Methuen, 1923) fails to correct a few slips—such as the description of Macaulay as 'civil governor of India' (p. 89)—but is in the main competently done.
C.

In *Lord Shaftesbury* (London: Constable, 1923) Mr. and Mrs. J. L. Hammond have added a most admirable volume to the series entitled 'Makers of the Nineteenth Century'. The authors are not in personal sympathy

¹ See *ante*, xxxvii. 617.

with the subject of their biography ; we hear very little in these pages of his private life. This is not surprising. Shaftesbury's character is out of harmony with the ideas of our day. He was the most fanatical of evangelicals ; a zealous enemy of all Sunday recreations ; a hater of every school of thought except his own ; a rigid believer at eighty of the religious tenets which he acquired at seven from his nurse Martha Millis. (Her name is given in this notice because she literally made history.) He was mentally isolated from all the main currents of nineteenth-century intellect and political thought. Its most distinctive movements and enthusiasms he despised. He had no sense of proportion. All the more powerful is the tribute paid here to Shaftesbury's superb and too often thankless work on behalf of the poor, the weak, and the oppressed. The account of his influence on legislation for factories and mines, on lunacy and public health, and to save the ' climbing boys ' from the pains and terrors of chimney sweeping, is a model of clear and succinct statement, and is a notable addition to historical literature. It is also timely, for Shaftesbury's life is generally little known, and his associates in factory reform—much less fortunate in this respect than several of their *laissez faire* opponents whose attitude towards his crusade bordered on sheer heartlessness—are not sufficiently remembered even in the industrial north. Among their illustrations of Shaftesbury's limitations the authors draw a comparison between the prevailing belief in popular education on the widest basis and his own distrust of any learning for the workers outside ' the pious and dutiful twilight of the ragged schools '. The contrast is just, inasmuch as Shaftesbury detested both democracy and what he called ' the godless non-Bible system ', but perhaps it betrays an imperfect appreciation of the ragged schools. They fulfilled a religious purpose necessarily beyond the range of free education, and by training good soldiers, sailors, and emigrants performed a fine social service. It is significant that the only other famous promoter of such schools, General Gordon, was in close affinity with Shaftesbury's conceptions of theology and conduct. This book will keep green the memory of a great philanthropist. Neither his want of charm nor his intense narrowness of mind can dim the splendour of his achievements.

G. B. H.

The latest volume of Dr. J. Rhodes's great work, *The McKinley and Roosevelt Administrations, 1897-1909* (New York : Macmillan, 1922), will prove a disappointment to some, at least, of his admirers. Speaking generally, it is not so much a history of the United States during the years in question as a history of that portion of it which is concerned with the dominant personalities of Hanna, McKinley, and, above all, Roosevelt. Thus the Alaska boundary question is merely presented from the Roosevelt point of view, and Dr. Rhodes, apparently, has not thought it necessary even to look at the British case. In other respects an Englishman may here and there lodge a *caveat*. Characteristic utterances of Herbert Spencer and Mr. Bertrand Russell do not seem to throw much light on the Moroccan difficulty ; and ' the peace-loving American ' must indeed be simple who accepts the analogy between the fortifying of the Panama Canal and the fortifying of Gibraltar. It may be ' amazing ' that

a practical politician, like Roosevelt, should have known Hooker's *Ecclesiastical Polity*; but it is at least as surprising that an eminent historian should write of 'bishop Hooker'.

H. E. E.

The first volume of Mr. Charles Welch's *History of the Cutlers' Company of London* was noticed in this Review in July 1917. The completion of the work was delayed by the author's illness, but it was practically finished before his death, and his son, Mr. Herbert Welch, was able to put the finishing touches to the second volume (London: printed privately, 1923). The concluding volume is in every way worthy of the first, and the whole forms a notable memorial of a distinguished London antiquary. The period from 1500 to the present time is naturally of somewhat less interest than the earlier period. But the review of the cutlery trade in the first chapter, based as it is on the company's records, is a valuable contribution to commercial and industrial history. The account of the company's enterprise in the making of sword-blades during the seventeenth century and the list of cutlers' marks will be useful to antiquarians. A depreciatory reference to 'bromedgham' blades in 1636 is of interest in another connexion. The second chapter, on 'Grades of Membership', with its illustration of the history of apprenticeship from the company's records and its accounts of the yeomanry and livery, is not less valuable. Later chapters deal with the Hall and the corporate property, the company's officials, and its general history. The description of the attempt of the working cutlers to obtain control of the company in the early part of the seventeenth century deserves attention. As in the previous volume there is an extensive appendix of 'Evidences'; most are of a more or less formal character, lists of officers, and acts and orders relating to the company. An Elizabethan inventory of goods and plate and a long list of cutlers' marks have a wider interest. The company's records had suffered in the past from neglect and keeping in damp places: it was due to Mr. Charles Welch's care that they were so far as possible restored and put to such a good use. Mr. Herbert Welch has completed his father's work by a copious index to both volumes.

C. L. K.

The *Short History of the Worshipful Company of Plumbers* (London: printed privately, 1923), by Dr. F. J. Waldo, a former master, does not extend much beyond notes for a larger history. Summaries are given of the charter of 1611 and of the four sets of ancient ordinances made in 1365, 1488, 1520, and 1611. There is also a brief list of the records of the company now preserved in the Guildhall Library. Short notes are given on the early history and present constitution of the company. Slight though it is this little volume is welcome, since everything relating to the history of the London City Companies is of value.

C. L. K.

Over thirty-five years ago the late Sir Norman Moore undertook to edit for the Early English Text Society the ancient English version of *The Book of the Foundation of St. Bartholomew's Church in London* (London: Early English Text Society, 1923). For some reason the work remained at a standstill, and now for the eight hundredth anniversary of the foundation of the hospital appears as a tribute to the memory as well of Rahere

the founder, as of Sir Norman Moore, who had done so much for the welfare and history of the hospital. The introduction reproduces that prefixed to Sir Norman Moore's previous edition of 1886, though the text has been revised and recollated with the manuscripts by Miss M. M. Weale. The English version, which was made about 1400, is therefore not novel, though it deserved to be made more accessible in its present form. It may be doubted whether this English version would present any real difficulty to any one who desired to read it. But if any such there be Mr. E. A. Webb has provided them with a translation from the Latin original in modern English (London : Milford, 1923) made for his use by Mr. H. King and Mr. W. Barnard. It will no doubt be serviceable, though a modernizing of the old English version might have preserved more of the savour of antiquity.

C. L. K.

The first published result of the work of the Exeter Research Group of the Historical Association which has for some years been collecting material for an adequate history of the city is a pamphlet on the *Lost Chapels of Exeter* by Miss Frances Rose-Troup (Exeter : Commin, 1923). As preliminaries to the issue of the history itself the directors propose to issue monographs embodying much of the material which will perforce be omitted from the final work. The present pamphlet, beginning with the well-known thirteenth-century lists (c. 1200 and 1214) of the city churches, proceeds to investigate the history of certain vanished chapels which existed at an early date. Miss Rose-Troup gives an excellent map on which she is able to fix with practical exactness all but ten of the thirty-three churches and chapels of which the names are known, and all but one approximately. Among the interesting points in the monograph are the account of the chapel of St. Edward the Martyr, which she thinks may well have been erected by Elfrida, the instigator of his murder, and a discussion of the identity of the Queen Matilda whose obit was observed. One is inclined to think that this was the wife of William I. The payment continued, and lasted with gaps to 1568.

W. H. H.

The greater part of M. A. Lesmaries's book on *Dunkerque et la Plaine Maritime aux Temps Anciens* (Dunkirk : Imprimerie du Nord Maritime, 1922) consists of an account of the geology of the district and a summary of what is known or conjectured about its history down to the first century A.D. The subject is an obscure one, and the writer shows almost unnecessary conscientiousness in quoting and demolishing theories for which there is not a scrap of real evidence. The most interesting section is that which contains an historical account of the use which has been made of the conception of 'race' by the powers which have attempted to dominate Flanders; in the past the French have claimed to be a purely Frankish people in order to justify their rule over a 'Germanic' population. M. Lesmaries rightly denies the validity of all such reasoning, whether used by French or Germans, by emphasizing the fact that both nations are racially heterogeneous.

G. H. S.

Oscar Albert Johnsen's book on *Finmarkens Politiske Historie* (Viden-skapselskapets Skrifter 2, 3. Kristiania : Dybwad, 1922) is a semi-official

publication of the Norwegian ministry of foreign affairs occasioned by recent frontier delimitation between Norway on the one hand and Finland and Soviet Russia on the other. It has made use not only of Scandinavian, but also of Russian archives, and treats its subject from the time of the Sagas down to the frontier agreement reached with Russia in 1826 after the Russian conquest of Finland. The 'political' point of view embraces chiefly the development of sovereignty, by occupation, taxation, and administration, over a territory still insufficiently reclaimed from the pastoral husbandry of the Finn or Lapp nomads, and although economic and social developments are thus dealt with only incidentally, the contents are of great paradigmatic interest to the student of legal history and political philosophy in general. One will rarely find an historical case where the connexion between political organization and taxation appears so marked: the tax (*skat*) is everywhere the first form under which the northern states make their domination felt in the polar regions of the Scandinavian and Kola peninsulas. Next to this broad fact there is the more curious one, that the medieval constitution of these states admitted concurrent rights of taxation and sovereignty over one and the same district, construed, it seems, after the model of primitive agrarian rights of common, so that, e.g., such districts or their inhabitants are spoken of as *fælles-distrikter* and *fælleslapper*, but even as 'two or three kings' men' (*to, tre konungars lappar*). The modern notion and power of exclusive sovereignty then put an end to this practice of what might be called common taxing grounds, and the territory was carefully closed to foreign intercourse by all the partners. From the times of Ivan Groznyj of Russia and Christian IV of Denmark and Norway we have the typical change of more or less warlike frontier disputes and diplomatic treaties fixing linear boundaries across the wild *fjeld*. The value of this scholarly work is enhanced by reproductions of instructive seventeenth- and eighteenth-century maps of Finmarken.

C. B.

The second part of the first volume ¹ of Zolotas's posthumous *Ἱστορία τῆς Χίου* ('*En 'Athinais. Týpous Π. Δ. Σακελλαρίου*, 1923) contains at great length an account of the topography of the town and suburbs of Chios, illustrated by two plans, and a genealogical account of the leading Chiote families. No Greek island has produced a more enterprising race, and for business capacity the Chiotese have a great renown. Nor has any Greek island been more closely studied from a genealogical standpoint, for the huge work of Rodokanákes dealt elaborately with the principal families connected with the medieval *Maona* of the Giustiniani. Byzantine families appear to have emigrated thither even before the Latin conquest of Constantinople. It is interesting to note that Chios has contributed to modern Greece M. Skoulóudes, the ex-premier, and Mlle Skylitze, the wife of M. Venizélos, and to the modernist school of Greek literature Joánnēs Psycháres. The book does for Chios what Gerland on a smaller scale did for the Cretan aristocracy. If the concluding volumes be on the same scale, it will be one of the most valuable contributions to medieval and modern Greek history, in both of which Chios played so important a part.

W. M.

¹ Cf. *ante*, xxxvii. 287.

The admirably successful organization of the Fifth International Congress of Historical Studies, held last spring in Brussels, has been completed by the issue of a *Compte Rendu* (Brussels : Weissenbruch, 1923) which includes summaries of the papers read and of the discussions upon them, with information as to where those are to be found which have been printed in full. The variety of subjects is amazing, and almost every historical student will find something which he will not care to neglect. MM. Des Marez and Ganshof are to be congratulated, not only on their work before and during the meetings, but also on this useful volume.

D.

Twelve German scholars have contributed articles to a volume, *Deutscher Staat und Deutsche Parteien* (Munich : Oldenbourg, 1922), published in honour of the sixtieth birthday of Friedrich Meinecke. Its range covers the whole evolution of German parties for the last fifty years, and it criticizes the political thought of men as divergent in type as Bismarck and Stöcker, Treitschke and Marx. The essays are short but full of knowledge and observation.

G. B. H.

Under the title *Wille, Macht und Schicksal* (Munich : Oldenbourg, 1922) Dr. Max Lenz had published several essays and speeches the dates of which cover a number of years. Among them are thoughtful papers on Luther, on the relations between Sweden and Germany in the seventeenth century, and on 'Napoleon and destiny'. With these are interspersed some rhetorical articles written in time of war and after the peace.

G. B. H.

Mr. Vaughan Cornish's book, *The Great Capitals : an Historical Geography* (London : Methuen, 1923), which shows wide reading in many histories and literatures, acute observation, and lucidity in stating results, should serve as encouragement and as warning to students who acknowledge the importance of the geographical element in history, yet practically treat it as entirely subordinate. In some respects, the arrangement is not such as to secure attention from the first. Thus the writer begins (logically perhaps) with China, and so gives a notion that his subject is remote from general historical interest. He has only two maps, though the reader ought to follow his arguments atlas in hand. And his definition of the term 'capital' is not that usually accepted, for he would use it in respect of commercial or military as well as of political supremacy, though, as he shows in the case of Babylon and Susa under the Achaemenidae (p. 46), there is a want of concentration in the activities of an empire where the financial and governmental resources are not concentrated in one city. In many cases the capital is originally in a forward position, chosen with a view to the increase of the state. A good deal is said about the isothermal frontier of ancient cities, illustrated by a very instructive map. Among other special points is the importance assigned to the district of Marmora. The origin and character of the successive capitals of France, Germany, Great Britain, the United States, &c., are treated in an original and suggestive manner. It may be noticed that though

this is a geographical treatise, the writer pays due regard to other than physical causes in the formation of peoples (such as religious, ethnic, linguistic, or other affinities). It would be interesting to know what he thinks about the choice of capitals for the self-governing colonies of the British empire. A. G.

Mr. J. W. Jeudwine in a prefatory note informs us that his *Studies in Empire and Expansion* (London: Longmans, 1923) are 'the final result of some ten years of study, research, and collection of materials in a very wide field'. The volume is, in fact, a history of European expansion, from the point of view of discovery and trade, from the time of the Vikings to about the beginning of the nineteenth century, interlarded with some very dogmatic statements upon matters of a highly controversial character. It is not clear why Mr. Jeudwine believes 'that the great debt is ignored which is owed by us and all the world to the Portuguese discoverers'; and was it the case that in America 'neither the French nor the British colonist was for a long time in the first instance agricultural . . . the fur trade was supreme for both peoples'? There is further exaggeration in the statement that 'the Puritans of New England represented from the first an insane jealousy of any forms of aristocracy or monarchy'; and it is asserted that Frontenac was recalled in 1682, because of the massacre at Lachine, which occurred in 1689. No little information will be found in the numerous appendixes. H. E. E.

Recent Shakespeare studies have centred in problems of Elizabethan handwriting, and clear guidance in this difficult field is valuable and timely: most expert work in English palaeography stops at the year 1550. 'Scientifically the subject is almost a new one', as Mr. Jenkinson says, and his 'preliminary sketch' 'Elizabethan Handwritings', in the *Transactions of the Bibliographical Society*, new series, iii, no. 1 (1922), is all the more welcome because it implies that a fuller investigation is to succeed it. In an article of thirty-four pages he makes a concentrated, extremely clear, and suggestive survey of the subject. Nothing so helpful has as yet been written on the writing of this period. He prepares a new classification and nomenclature of the forms of Elizabethan script. They are grouped as follows: six old hands practised by the Elizabethan writing-masters—text, bastard secretary, set hand of the chancery, and set hand of the common pleas—one or two forms of set hand of the exchequer; and the new forms introduced from abroad, the Roman and the Italic. Mr. Jenkinson insists on the historic continuity of English handwriting. He groups the Elizabethan hands under two heads which can be traced back to the dual development of handwriting in the middle ages: text hands used for treatises, and free hands used for all kinds of business documents, with these last divided into two well-marked styles which are distinguished as 'formal' and 'informal'. The article is fully illustrated, and the handwriting in each facsimile is carefully analysed. Though avowedly no more than a sketch, this paper is a most illuminating contribution to the study of the subject because of the skill with which it covers the whole field of investigation. P. S.

THE ENGLISH HISTORICAL REVIEW

NO. CLIV.—APRIL 1924 *

The 'Firma Unius Noctis' and the Customs of the Hundred

IN the course of several articles recently published in this Review ¹ Miss E. M. Demarest has developed a new and interesting theory with regard to the beginning of royal taxation in England. The *firma noctis*, she concludes, was not a rent, as most authorities have asserted, but a tax in connexion with which the system of assessment by hide and hundred had been employed long before the Danegeld was invented. To prove her contention, Miss Demarest presents various entries in Domesday as vestiges of the primitive arrangement. In the first place, many royal manors had at one time been hidated for payment of the king's *feorm*. Secondly, certain *consuetudines* in the south-western counties had been proportioned to hidage, and they may be identified with the *firma noctis*; as may also the 'hundred pennies' of Taunton. And lastly, in the country *Inter Ripam et Mersham* the same sort of impost is found under the name of 'carucate geld'.

Now the crucial point in this argument is, I think, the identification of the various customs of the hundred with the food renders styled *firma noctis* or *firma diei*, for it is only the former which Domesday specifically describes as having been paid by lands outside the royal demesne and as having been collected through the machinery of the hundred. However, the survey nowhere says that these *consuetudines* were the same as the *firma noctis*, and before we insert the sign of equation, we must be sure of the value of each of the two terms. A brief examination of the farm system in general would therefore seem to be demanded by the nature of the problem.

¹ *Ante*, xxxiii. 62 f.; xxv. 78 f.; xxxviii. 161 f.

As Mr. Round has pointed out,¹ the *firma comitatus* of the Pipe Rolls hardly appears in Domesday; in so far as it does, it seems to have been made up of various *firmæ*, each the result of a separate contract with the king. For example, in Worcester-shire the sheriff farmed three main sources of income: the borough, the royal manors, and the popular courts.² It is well known, too, that the sheriff regularly let out to sub-contractors portions of his total obligation. The royal manors were given at farm, either singly or in groups, to reeves, who bore the same relation to the sheriff as he bore to the king. With regard to the courts, there was no uniform practice, but the profits of a hundred were frequently included in the farm of the manor that served as its administrative centre.³

It was this farm system that underlay public finance in the eleventh century. When the commissioners of William I wished to check the royal income, they reported all increases or decreases either of the general farms owed to the king directly or of the local farms owed to his officials. Since the days of King Edward much property had been brought within the royal farm, but much likewise had been taken away from it, so that Domesday is filled with complaints of encroachment.⁴ It should not be thought, however, that the farm system was peculiarly royal; it was in common use also on private estates.⁵

In all such cases, then, the *firma* was an arbitrary sum determined by negotiation between the parties to the contract. It was virtually a rent and was so recognized in Domesday, where the term is often used interchangeably with *census*.⁶ Furthermore, in most contexts no difficulty arises from interpreting *firma* to mean the ordinary money farm. When it is said that

¹ *The Commune of London*, pp. 12 f. See also Vinogradoff, *English Society in the Eleventh Century*, pp. 374 f.; Ballard, *The Domesday Inquest*, pp. 239 f.

² *Domesday Book*, i. 172. Compare Warwickshire and Leicestershire: *D. B.* i. 230, 238.

³ Maitland, *Domesday Book and Beyond*, p. 92.

⁴ Thus at Worcester, which rendered £60 annually, various barons were retaining rents and customs from their houses (*D. B.* i. 162). From Surrey comes the following information (*D. B.* i. 31): 'Ipse episcopus tenet Tetinges. . . Homines de hundreto testantur quod prestitum fuit istud manerium per vicecomitem extra firmam regis Edwardi, et quod Osbernus episcopus non habuit hoc manerium T.R.E.' And see the *Clamores* of Huntingdonshire (*D. B.* i. 208) and the malversations of Henry de Ferrers in Berkshire (*D. B.* i. 57 b). Afforestation was another recurrent cause of complaint: *D. B.* i. 219 b. ('Corbei'), 51 ('Achelie'), 172 (Droitwich). Throughout his numerous writings Mr. Round has repeatedly called attention to cases of the same sort.

⁵ *D. B.* i. 66 b (Dobreham); i. 12 b (Platenout); ii. 110 (Breccles); i. 379 (York); i. 31, 31 b (Brunlei, Reddesolham et Fernecome). See Round, in *Domesday Studies*, i. 135.

⁶ *D. B.* ii. 38 b (Wisgar); i. 247 b (Acovre); ii. 3 b (Celdeforda); ii. 180 (Sutunna). Compare the entries for Malmesbury and Hereford (*D. B.* i. 64 b, 179), and those for Torksey and Wallingford (*D. B.* i. 56, 337).

King Edward had held certain property 'in firma sua', or an estate is described as having been 'de dominica firma regis', we should naturally understand that such lands had contributed to the farm of some royal manor, or if the remark is made of a manor, that it had furnished a quota of the farm paid to the king by the sheriff. Indeed, comparison of any considerable number of Domesday inscriptions will show that lands held 'in firma', unless it was in fee-farm, were always demesne lands, and that 'de dominica firma' meant little more than 'de dominio'.¹

Firma, however, was but a Latinization of *feorm*, the Anglo-Saxon word for food. Before it could have meant a money rent it must have meant a food rent, and as such the *firma noctis* has been commonly understood.² In fact, this peculiar render appears in the record as only an occasional variant in place of the more usual round sum of money. A manor responsible for a night's farm paid no other farm; had no other valuation.³ Study of the relevant passages inevitably leads to the conclusion that the Domesday scribes were acquainted with two varieties of farm: one primarily reckoned in money and the other in food. *Firma* in a given instance might be used to mean either,⁴ but the food farm, being archaic and exceptional, was usually differentiated by the unit in which it had been measured—the 'day' or 'night', an arbitrary quantity of provisions that varied from region to region.⁵ This was the original *firma unius noctis*, but

¹ The Domesday text (*D. B. i. 190 b–192*) uses the following formulae: 'Haec terra iacuit et iacet in dominio aecclisiae de Ely', 'Haec terra iacuit semper in aecclisia', 'Haec terra iacet et iacuit semper in aecclisia de Ely in dominica firma', 'Totum hoc manerium fuit semper et est dominicum', 'Hoc manerium fuit et est de dominio aecclisiae.' In the *Inquisitio Comitatus Cantabrigiensis* and the *Inquisitio Eliensis* (ed. Hamilton, London, 1876) they are constantly modified and shifted about. See particularly the cases of 'Weslai', 'Melrede', and 'Gratedene' (pp. 19, 104; 66, 109; 88, 111).

² Round, *Feudal England*, p. 114, n. 204. So far as Domesday is concerned, it is understood in the same way by Maitland (*Domesday Book and Beyond*, pp. 236 f., 319), Vinogradoff (*English Society*, pp. 142, 327, 384), and Liebermann (*Gesetze der Angelsachsen*, ii. 420, 'Gastung'), although these authors think that it may at least in part have originated as a tax.

³ Those in Dorset are merely said to render a night's farm or a portion of one; the unit was so well fixed by custom that no further description of it was deemed necessary (*D. B. i. 75*). In other counties monetary values are given in a haphazard fashion; see Round, *Feudal England*, pp. 110 f., *Commune of London*, p. 71, in *Victoria History of Hampshire*, i. 401, 414, and in *Vic. Hist. Somerset*, i. 402.

⁴ Note the following parallel (*D. B. i. 75 b, iv. 31*): 'Haec terra non pertinet ad firmam de Winburne'; 'Hec mansio nichil pertinet noctis firme Winburne.' There are many other passages in which the context makes us sure that *firma* refers to the *firma noctis*; see particularly the descriptions of the royal manors in Wiltshire and Somerset.

⁵ For comment on the different units of assessment employed, see Ballard, *Domesday Inquest*, pp. 223 f.; Round, in *Vic. Hist., Bedford*, i. 193, *Hereford*, i. 300, *Northampton*, i. 273. Mr. Poole (*The Exchequer in the Twelfth Century*, pp. 28 f.) tries

by 1086 it was practically obsolete, and Domesday gives only enough information to warrant a guess as to how it had been superseded. In the first place, commutation had produced an intermediate stage between it and the money farm. Provender was no longer supplied as before, but the oddness of the sum substituted yet tended to keep the night's farm distinct from the ordinary money rent. Then, as the old economy had been further disturbed through detachment of the manor from the royal demesne or through change in its administration, revaluation had destroyed all trace of the primitive obligation.¹ The king's *feorm* had become the *firma* of the Pipe Rolls.

Thus, if the preceding explanation is sound, it is a matter of secondary importance whether the farm was paid in money or in provender; it was always rent.² I have failed to find in all Domesday a single instance where the word *firma* is used to mean anything else. Nor does any connexion appear to have existed between either sort of farm and hidage. One solitary entry, the description of Ewell in Hampshire, seems to indicate such relationship, but it is as obscure as it is exceptional and must, I think, be ascribed to clerical error.³ It is true that many lands had been

to work out a uniform monetary value in round figures for the *firma unius noctis*, but why should we suppose that such a sum existed?

¹ This evolution clearly appears in the case of Beeding in Sussex (*D. B. i. 28*). Compare 'Borne' and 'Beddingham': *D. B. i. 20 b*. In the same way the old dues from King Edward's demesne in the counties of Gloucester, Hereford, Cambridge, and Bedford had been wholly or in part commuted (*D. B. i. 162 b, 163, 179 b, 189 b, 209*). In Essex, Norfolk, and Suffolk the older farms had been changed to ordinary round sums after the Norman Conquest. So 'Celmeresfort' (*D. B. ii. 5 b*). Compare *D. B. ii. 6, 7, 21 b, 109, 112 b, 114, 235, 282*.

² It should be remembered that traces of food rents like those later known to have existed on many monastic estates are found in Domesday. For an example see *D. B. i. 121* (Lanpiran) and the discussion of this question in Vinogradoff, *English Society*, p. 384, and Liebermann, *Gesetze*, ii. 420, 'Gastung'. Ballard (*Domesday Inquest*, p. 226) is inclined to translate *firma* as food where, on the whole, the ordinary meaning seems preferable. The reason why the night's farm as used on the royal demesne disappeared when the manor was infeudated was apparently that the old rent covered, not merely the income from the manor proper, but other revenue, which the king normally reserved for himself.

³ *D. B. i. 30*. Except for the 'ad firmam', only stock formulae are used. The farm of the manor, which the jury thought excessive, was £25—a sum that is no more proportionate to fifteen and three-quarter hides than the earlier valuation of £20. In the other instances cited by Miss Demarest (*ante*, xxxv. 83 f.) I can see no relation between farm and hidage. 'Cherchefelle', it is true, defended itself for thirty-four hides 'ad opus regis'; but that expression meant no more to the Domesday scribes than a dative case and was sometimes used to refer to the geld: compare 'Chingesberie' and 'Wivelescome', *D. B. i. 89*, and see the case of 'Sclostre', *D. B. i. 168*. Miss Demarest also reports an instance in which 'the ten hides at which Chippenham had defended itself were reduced to five because the king's ferm had pressed too heavily upon them' (*D. B. i. 197*; *Inq. Com. Cant.*, p. 2); but do not the 'eius' and the 'eum' in this entry refer to the sheriff? As a favour to him, because his farm was too burdensome, the king had cut in half the hidage of the manor. As stated lower in the same entry, five hides had been 'in firmam regis Edwardi', two

hidated which had never paid geld, but their 'defence' was military service and not the *firma noctis*.¹ So far as our Domesday evidence goes, *fyrð* and Danegeld were public responsibilities; the *feorm* was not.

With one-half of the proposed equation thus determined, we may now turn to the other half, and consider first the peculiar *consuetudines* of Somersetshire. In about a dozen instances Domesday records a custom of sheep and lambs owed from a baronial to a royal manor. In every case the former had also been in private hands *T.R.E.* and, unlike the ancient demesne of the Crown, had been hidated for geld. Six manors held of King William by his brother, the count of Mortain, are said to owe to the manor of Curry Rivel custom at the rate of one sheep and one lamb for each hide; ² while another of the count's manors, Cricket St. Thomas, should pay at the same rate six sheep and six lambs, together with one bloom of iron for every freeman, to the manor of South Petherton.³ On the other hand, we are told that a custom of eighteen sheep from a manor of Alfred 'de Hispania', assessed at a hide and a half, has been added to the manor of Williton although it did not belong there *T.R.E.*⁴ Here is found a different rate, which, however, was followed also in the customs rendered from Oare and Allerford at Carhampton, and in that from Brushford at Dulverton.⁵ Still another scheme appears on the bishop of Salisbury's manor of Seaborough, which *T.R.E.* had been two manors, each assessed at one and a half hides, and which had customarily rendered at Crewkerne eighteen sheep with their lambs and a bloom of iron for each freeman.⁶

Concerning the nature of these customs the record says nothing; we may only be sure of the reason why they were reported by the juries. With the exception of Williton, where revenue was being enjoyed that did not belong there, the manors

had been held by socmen, and three by the same sheriff. Therefore the latter could save whatever geld or service was laid on his own hides and possibly collect for himself what was due from those of the socmen.

¹ Round, *Feudal England*, pp. 4 f., and in *Domesday Studies*, i. 120 f. The peculiar obligations of the Dorset boroughs may be explained by comparing them with the custom of Berkshire and of Malmesbury. By contributing at the rate of one mark per ten hides for the support of the house-carls, they were said to 'defend themselves and geld' for all royal service 'exceptis consuetudinibus quae pertinent ad firmam unius noctis' (*D. B.* i. 75); see the table in 'The Aids of the English Boroughs', *ante*, xxxiv. 458. Thus they were obviously responsible for the ancient food farm, though to what extent is not stated, and besides paid merely small compositions for *fyrð*—not the usual geld.

² *D. B.* i. 92.

³ *D. B.* i. 86, 91 b ('Cruche').

⁴ *D. B.* i. 86 b, 97 ('Selvere').

⁵ *D. B.* i. 86 b, 92, 96 b, 97 ('Are', 'Alresford', 'Brucheford', 'Bridgeford').

⁶ *D. B.* i. 87 b; iv. 143, 477 ('Seveberge'). Crewkerne was exceptional in that it had originally been a comital manor (Round, in *Vict. Hist. Somerset*, i. 398).

in question had been deprived of income that had gone towards making up the farms owed to the king. Fortunately, however, our information is not restricted to the one county. In Devonshire, as well as in Somersetshire, customs owed at royal manors had been withdrawn since the Conquest; and again one of the chief offenders was the count of Mortain. Taking advantage of the parallel entries afforded by the survey of that county, we secure the following testimony: ¹

Rex tenet Ermentone. Asgar tenebat T.R.E. et geldabat pro iii. hidis. . . . Redit xiii. lib. et x. sol. ad pensum et arsuram. Huic manerio pertinent consuetudines istae. De Ferdendel xxx. den. et consuetudines hundreti.

Rainaldus tenet de comite (Moritoniense) Ferdendelle. Donno tenebat T.R.E. et geldabat pro i. hida. . . . De hoc manerio debentur xxx. den. per consuetudinem in Ermentone manerio regis et consuetudo placitorum, ut dicunt praepositi et homines regis.

Comes habet i. mansionem que vocatur Ferdendella. . . . De hac mansionem calumpniantur hundremani et prepositus regis xxx. den. et consuetudinem placitorum ad opus firme Ermtone [*sic*] mansionis regis.

Comes de Moritonio habet i. mansionem que vocatur Ferdendel . . . que T.R.E. reddebat per consuetudinem xxx. den. ad Hermentonam mansionem regis et alias consuetudines que ad hundretum pertinent, sed postquam rex Willelmus tenuit Angliam sunt ablate consuetudines predictae a mansionem regis.

Evidently Fardle had contributed in two ways to make up the royal farm of £13 10s. from Ermington: through a payment of 30*d.* for an unnamed purpose and through other customs of the hundred, which—we are grateful to know—were the profits of justice in the hundred court. The royal reeve, who apparently farmed the hundred along with the manor of Ermington, complains that this revenue has been withheld by the count of Mortain, not only at Fardle, but at four other manors of his. No further information comes from this group, except that the obligations bore no relation to hidage.²

However, there was another group.³

Rex tenet Alseminstre. Nescitur quot hidae sint ibi, quia nunquam geldavit. . . . Redit xxvi. lib. ad pensum et arsuram. Huic manerio debentur xv. den. de Cherletone manerio episcopi Constantiensis, et de Honetone manerio comitis Moritoniensis xxx. den., et de Smaurige manerio

¹ *D. B. i.* 100 b, 105 b; *iv.* 198, 467.

² The assessment varied from one hide to one virgate. The explanation offered by Miss Demarest is that Danegeld on a hidage basis had been superimposed upon an older levy of a 'farm-tax' (*ante*, xxxviii. 169).

³ *D. B. i.* 100. Compare Ashill in Somerset (*D. B. i.* 92): 'Malger tenet de comite (Moritoniense) Aiselle. . . . Hoc manerium debet reddere in Curi manerio regis xxx. den.' West Putford ('Putiford') owed 30*d.* at Torrington, another royal manor in Devon (*D. B. iv.* 459).

Radulfi de Pomerei xxx. den., et de Maneberie manerio Willelmi Chevre xxx. den., et de Roverige manerio S. Mariae Rotomagensis xxx. den. Hos denarios iam per plures annos rex non habuit.

Here again appears the payment of 30*d.*; and finally we are given a hint as to what the sum may represent :¹

Osbernus de Salceid tenet de rege Patford. . . . Haec terra debet per annum de consuetudine aut i. bovem aut xxx. den. in Tavetone manerio regis.

The same render is found in Cornwall, but alongside other dues, and owed to the church of St. Petrock and not to the king.²

Rex tenet Gudiford. Ibi est i. hida et iii. virgatae terrae et geldabat pro una virgata terrae T.R.E. . . . De hoc manerio habebat S. Petrus T.R.E. per consuetudinem xxx. den. aut i. bovem.

Thus William had offended once, but his brother had offended seven times; for Domesday gives that number of manors, now held by the count of Mortain, from which customary dues of oxen, sheep, and money were being retained.³

It will be noticed that these *consuetudines* of Somerset, Devon, and Cornwall had many features in common, but among them was neither apportionment to hidage nor connexion with the *firma noctis*.⁴ It is impossible to speak with assurance from such meagre evidence as Domesday affords, but the key to the puzzle may perhaps lie in the following entry concerning another royal manor in Devon, which had belonged to Earl Harold before the Conquest and had gelded for four hides and one furlong :⁵

Mansioni Mollande adiacet a T.R.E. tercius denarius iii. hundretorum, Normoltone et Badentone et Brantone, et tercium animal pascue morarum. Has consuetudines non habuit rex postquam ipse tenuit Angliam.

¹ *D. B. i.* 116 b; iv. 458. The same custom is recorded as being owed at Tawton from Tawland, held by William the Usher (*D. B. i.* 117 b), and 10*d.* likewise from Shapleigh, a manor of Gerald the Chaplain (*D. B. i.* 117). Compare the 15*d.* owed at Axminster from Charton. These sums may be fractions of the value of an ox, like the famous *semibos*; but see below, n. 3.

² *D. B. i.* 120 b. We have conflicting reports about this manor. In another place its custom is set down as one ox and seven sheep (*D. B. i.* 121), which is repeated twice in the Exon Domesday (*D. B. iv.* 186, 471). A third description (*D. B. iv.* 104, 470) gives 30*d.*, one ox, and seven sheep.

³ *D. B. i.* 121. The payment of 15*d.* recurs five times; once alongside that of an ox. There is also one payment of 8*d.*, which reappears under 'Careurga' (*D. B. iv.* 470). Compare *D. B. i.* 120 b: 'De aeclesia S. Germani ablata est i. hida terrae quae reddebat per consuetudinem unam cupam cervisiae et xxx. den. T.R.E. eidem aeclesiae.' See also 'Eglostudio', *D. B. iv.* 186.

⁴ Among the Somerset manors to which *consuetudines* were owing, Curry Rivel, South Petherton, Williton, and Carhampton each paid a quota of a night's farm. Crewkerne and Dulverton paid ordinary rents, and there is no evidence that either had ever belonged to a food-farm group. There is only one trace of the *firma noctis* in Devon (*D. B. iv.* 80), and none at all in Cornwall.

⁵ *D. B. i.* 101; iv. 87, 462.

Here again, as at Ermington, we find two customs lost to the farm of a manor. If for the first we substitute *consuetudines hundreti* and for the second a number of sheep or oxen, we are confronted by a familiar situation. The one peculiarity of the entry lies in the fact that it records only the third penny and the third animal as being owed at Molland. This vill, however, had originally been a comital manor, and it was as successor of Harold that King William had got the earl's third of the revenue from the three hundred courts and of the dues paid for the agistment of animals in the neighbouring moors, a well-known institution of south-western England, traces of which have persisted down to modern times.¹ It seems likely that the customs of live stock owed at the hundredal manors of the king were pasture rents of the same sort. And if, remembering how forest and moorland have shrunk since the eleventh century, we turn to the map, immediate support is found for that explanation. Thus of the manors under consideration, Ermington lies just south of Dartmoor, while to the north and north-west lie North Tawton and Torrington. South of Exmoor are Molland in Devon and Dulverton in Somerset; to the north Carhampton and Williton. A third group forms a semicircle south and east of the Black Down Hills and extending up into the region of Sedgemoor: Axminster in Devon, and Crewkerne, South Petherton, and Curry Rivel in Somerset. And, finally, Bodmin Moor is named after the vill that in 1086 was the central property of St. Petrock.

This theory, of course, does not admit of proof, but as a guess it seems to me much more probable than that the *consuetudines* were the vestiges of an ancient tax. The apportionment of the customs in Somerset to hidage is a remarkable fact, but one that points to a local rather than to a more general assessment, because even within the one county at least two ratios were employed,² and in Devon and Cornwall there was no apportionment at all. Moreover, most of the central manors to which the renders were owed had never been hidated. Thus, even if the *firma noctis* had earlier been a royal impost uniformly laid on thegnland and demesne, it is hard to see how it ever could have been reduced to such fragments as the foregoing. However, as

¹ Reichel in *Vict. Hist. Devon*, i. 398. The moors were apparently considered royal property and pasturage of animals in them, particularly overnight, had to be paid for. The same custom on a small scale existed in every manor where the lord owned a bit of pasture or woodland apart from the common fields; hence the payments for herbage and pannage that frequently occur in Domesday. See Vinogradoff, *English Society*, pp. 85, 289; Miss Neilson, *Customary Rents (Oxford Studies in Social and Legal History, ii)*, ch. 3.

² There were in particular what may be called the Exmoor rate, prevailing in Dulverton, Carhampton, and Williton, and the Sedgemoor rate used at Curry Rivel and South Petherton.

I read the records, we have to do with a number of distinct institutions accidentally brought together by financial arrangements.¹ The royal income from the hundred, including pasture dues and the profits of justice, had been farmed along with the hundredal manor to a reeve. Originally he had perhaps been responsible for a *firma unius noctis*, but the oxen and sheep customarily collected from certain manors should no more be identified with that farm than the forfeitures taken in the hundred court, or any other source of income that he may have had. The proposed equation of the night's farm and the customs of the hundred proves unacceptable.

If now we turn to the other region where, as Miss Demarest has shown, customs similar to those of the south-western counties existed, we find descriptions even more mystifying than those just considered.² In proportion to its length, no portion of Domesday offers a greater number of obscure and contradictory passages than that of the strange country *Inter Ripam et Mersham*. Indeed, even the men who condensed the returns seem only partially to have understood them, and to have been quite at a loss for conventional forms under which to organize the materials. Thus, in the survey of the first hundred, it is said that King Edward held the manor of West Derby with six berewicks and then that Ughtred held six manors, but neither group is fully described.³ Instead, a haphazard list of manors with their owners and renders *T.R.E.* is followed by a very confusing summary of the king's income from the hundred. In the other five hundreds, as if the first attempt at complete analysis had been despaired of, the Domesday account is restricted to much briefer, but scarcely more satisfactory, statements. The holders of land are sometimes called thegns, sometimes drengs, and sometimes freemen.⁴ The manors which they held are, in a very faltering way, classified as berewicks of the king's hundredal manor, and no report is made of their respective assessments or values.⁵

¹ It should be noticed that the render of iron appears in only three of the dozen cases in which sheep were owed at Devonshire manors. It is possible that mere carelessness led to its omission from most of the entries; or it may have been paid for a quite irrelevant purpose, such as a local iron industry. In the same county blooms of iron appear as rent from a mill at 'Lecheswrde', from pasture at 'Stantune', and from villeins at 'Aldedford' (*D. B.* i. 91 b, 92 b).

² Miss Demarest, "*Inter Ripam et Mersham*", *ante*, xxxviii. 161 f. Similar units of payment, as Mr. Round has indicated (*Vict. Hist. Hereford*, i. 269), are found along the Welsh border, but there the dues were paid by tenants to their direct lords.

³ *D. B.* i. 269 b.

⁴ Farrer, in *Vict. Hist. Lancashire*, i. 286, n. 2.

⁵ For example, Newton hundred; but compare the next hundred (Walintune). It looks as if the scribes had started out with one scheme of classification, but had abandoned it because it entailed too many complications. To the end they seem to

We thus have an outline of the financial system employed in all six hundreds, together with a detailed description of its working in one of the six. It is made quite clear that the royal revenue from each hundred was farmed, as in many other parts of the kingdom, along with the central manor after which it was named.¹ The constituent elements of each farm, therefore, were principally two: the income from the manor proper, and certain *consuetudines* paid by various thegns who held land within the hundred. Here then are encountered customs of the hundred which may profitably be compared with those of Somerset, Devon, and Cornwall. Unfortunately, however, the explanation of them attempted in the survey of the first hundred is such as almost to defy comprehension.

'All these thegns', says our record, 'were accustomed to render two ores of pence from each carucate of land', to perform various duties in connexion with the king's demesne properties, and to pay certain forfeitures and a relief.² In the preceding list of lands held in the hundred, moreover, each manor is said to be worth or to render—the expressions are equivalent—a comparatively small sum of money, obviously what it paid into the farm of the central manor. Now, as Miss Demarest shows,³ in more than half of these cases the payment was at the rate of just two ores, or 32*d.*, the carucate, which Domesday tells us was here the sixth of a hide. This cannot be mere coincidence; the render must have been that described as one of the *consuetudines* of the region.

There were, however, many exceptions; Miss Demarest counts thirteen.⁴ In those manors the rate of payment is found, after a little calculation, to have been less than 32*d.* in only three cases; in the rest to be considerably higher. These discrepancies have caused Mr. Farrer, as an expert on Lancashire antiquities, and Miss Demarest to carry out intricate calculations intended to corroborate their respective explanations of the custom of the two ores.⁵ Such complications may, I think, be avoided by

have been in doubt whether payment of regular *consuetudines* to the king's manors made berewicks out of the thegns' manors or not.

¹ Thus: 'Totum manerium Salford cum hundreto reddebat xxxvi. lib. et iv. sol.' 'Totum manerium Lailand cum hundreto reddebat de firma regi xix. lib. et xviii. sol. et ii. den.' *Firma* is used in the same way in four of the six descriptions. It can mean nothing more than an ordinary rent, unless one accepts Miss Demarest's idea that every manor of the royal demesne 'gave its share, either the whole ferm of a day or night or some aliquot part of it' (*ante*, xxxviii. 168).

² *D. B.* i. 269 b.

³ *Ante*, xxxviii. 166.

⁴ This number does not include 'Uvetone', which Domesday rates at one carucate worth 30*d.* As Mr. Farrer suggests, comparison with the other entries would seem to show that this is a clerical error for 32*d.*

⁵ Mr. Farrer (p. 277) decides that the custom of 32*d.* on the carucate was paid in addition to the render recorded in Domesday. He is consequently led to the remarkable conclusion that in most of the manors of the hundred a rent was levied

understanding the desultory remarks of the Domesday compilers in a slightly different way.

The following entry, which stands first among the descriptions of the thegns' holding, may serve as introduction: 'Dot tenebat Hitune et Torboc. Ibi i. hida quieta est ab omni consuetudine praeter geldum. . . . Valebat xx. sol.' This hide in Huyton and Tarbock, then, is one of those which did not pay the ordinary rate of 16s., and it was quit of all custom except geld, a statement which ought to mean that it was exempt from all the *consuetudines* normally owed by a thegn in the hundred of West Derby. The same comment reappears under Kirkdale; and under Agarmeols is another that must mean the same thing: 'Haec terra quieta fuit praeter geldum.'

At the end of the list then comes this significant passage: 'Omnis haec terra geldabat et xv. maneria nil reddebant nisi geld regi Edwardo.' But where are the fifteen manors that were quit of all custom save geld? Mr. Farrer thinks that they are those enumerated in the last ten paragraphs, but the latter are at most only eleven.¹ Even if we add to them Huyton and Kirkdale, we get only thirteen—a group, furthermore, that lacks all homogeneity. But Miss Demarest has counted thirteen manors that are alike in not being valued at the normal rate, and examination of her list shows that it includes Formby, which, says Domesday, had been held *T.R.E.* by three thegns for three manors. Here, therefore, are fifteen manors distinct from the rest because of their unusual renders, six of which are specifically stated to have been exempt from *consuetudines*.² Can we hesitate to believe that with characteristic caprice the Domesday scribes omitted similar comments from the other nine?

Putting together the facts thus ascertained, we find that the thegns of West Derby hundred had owed King Edward, in addition to the geld, a custom of two ores from each carucate in their possession; but that in a number of cases this custom, together with others, had been compounded for by the payment of a rent usually assessed at a higher rate than 16s. on the hide. Either the customs, accordingly, or the rents that took their place went towards making up the farm of £26 2s. owed to the king from West Derby. But three hides, adds Domesday, were alongside the *consuetudo* at the very same rate. Miss Demarest's theory is that the exceptional renders were the result of a reduction in carucage which, however, had not effected any change in the amounts paid, or at least in the amounts reported in Domesday.

¹ Mr. Farrer (pp. 284, n. 11, 285, n. 1) interprets the last sentence in the description of Agarmeols, quoted above, to apply to the rest of the list, but it is plainly a mere variation of the comment made on Kirkdale and on Huyton, placed after instead of before the valuation. Miss Demarest follows Mr. Farrer.

² Three of these have already been cited; see the previous note. The other three (North Meols, Halsall, and Hurleton) are supplied by an entry quoted below.

free, 'quarum census perdonavit teinis qui eas tenebant. Istae reddebant iv. lib. et xiv. sol. et viii. den.' This is a different matter. Not merely customs, but the entire rent from three hides—which three is not said—had been pardoned, so that the farm had lost £4 14s. 8d.¹

Then ensue other complications. After making certain generalizations about the exempted manors, Domesday adds, by way of postscript, two restrictive paragraphs. Ughtred held Little Crosby and Kirkby quit of all customs except six, which are now enumerated: 'geldum vero regis sicut homines patriae solvebat.'² That is to say, these lands were not free of all custom, as had earlier been implied, but of nearly all; and their liability for geld is reiterated. Lastly comes this passage:

In Otringemele et Herleshala et Hiretun erant iii. hidae quietae a geldo carucatarum terrae et a forisfactura sanguinis et femine violentia. Alias vero consuetudines reddidit omnes.

Another amendment is made. These hides were free of the custom of the two ores, here called 'carucate geld', and of two forfeitures, but not of the others.³

To develop one consistent theory out of such isolated scraps of information as those given us by Domesday seems to me to be out of the question. The glimpses that we obtain of the working of the hundredal organization are sufficient only to show that it embraced much of which we know almost nothing. Danegeld, *fyrð*, justice, and a great deal else seem to have been administered in connexion with the hundred court. Hidation of the country was but one phase of this administration, and it is interesting to see that it could be adopted for local assessments as well as for more general levies. Just what the custom of the two ores may have been is impossible to say, but it seems to have been as peculiar to the country *Inter Ripam et Mersham* as the six-carucate hide, and as distinct from the *firma noctis* as a relief or a burgage rent.

¹ These three hides were taken by Mr. Farrer, and after him by Miss Demarest, to be the three hides included in the last eleven manors in the preceding list, and as a consequence both have difficulty in accounting for the fact that the stated sum corresponds neither with the custom of the two ores, which would come to 48s., nor with the Domesday valuations, the sum of which is £3 7s. 4d. Since, however, no particular three hides are specified, there is no reason why the rent should correspond with either.

² Little Crosby is previously stated to be one of six manors held by Ughtred, but is not further described. Kirkdale, however, is one of the fifteen exempted manors that are described. There is no reason for doubting that the geld here mentioned is the ordinary Danegeld.

³ Either the 'three hides' in this entry are a mistake or other lands besides those mentioned were included in the liberty; but this is a matter of no importance. What is significant is the fact that the carucate geld is here clearly differentiated from the ordinary geld; for all three of these manors are set down in the preceding list of lands, all of which are said to have gelded.

18 car len
2 borales (17 1/4 car)

In all England, so far as we know, there was only one other instance of similar dues. The customary payments of sheep in Somerset were likewise proportioned to hidage and made through the hundred organization, but it seems probable that they were pasture rents. The carucate geld may in fact have been something of the same sort. It is well known that cornage or neat-geld was a common incident of drengage tenure in the border counties of the north, but in view of the silence of Domesday with regard to those regions, the original nature of all such customs must probably remain an unsolved mystery.¹

Finally, if the food farm cannot be detected either in the *consuetudines* of Somerset or in those of Lancashire, there can be no reason for seeing it in the 'hundred pennies', a phrase that occurs only in the description of Taunton.² The well-known list of customs belonging to the bishop includes first the obscure 'borough-right', then three pleas usually reserved to the Crown, after them the hundred pennies, and lastly the ecclesiastical dues of Peter's pence and church-scot, suit to the episcopal court, and military service.³

Since one-third of the *consuetudines hundreti* was regularly called *tertius denarius hundreti*, the hundred pennies enjoyed by the bishop may well have been only the ordinary revenue of the hundred of Taunton. This may have included dues of animals such as were paid to the church of St. Petrock at Bodmin, but evidence in that respect is lacking. On the other hand, there is the possibility that the man who held the hundred, even at this early time, had a prescriptive right to the collection of an aid or private geld. The hundred pennies or hundred silver of the later extents were plainly the same as the *auxilium hundredarii*, information concerning which is quite explicit.⁴ In either case

¹ See J. Wilson, in *Vict. Hist. Cumberland*, i. 314 f.; G. T. Lapsley, 'Cornage and Drengage', in *Amer. Hist. Rev.* ix. 670 f.; Miss Neilson, *Customary Rents*, pp. 120 f. If the *consuetudines* of the south-western counties may be connected with cornage, they would seem to support Mr. Lapsley's contention that the latter was related to pasture privileges, but the fact that both, as well as the carucate geld, are found in lands where there must have been a considerable substratum of Celtic custom is very striking.

² *D. B.* i. 87 b. The hundred pennies seem to be referred to twice in the Exon Domesday (*D. B.* iv. 162). See Round, in *Vict. Hist. Somerset*, i. 404.

³ *Ibid.* i. 420.

⁴ *Domesday of St. Paul's* (Camden Society, 1857), p. 143; *Ramsay Cartulary* (Rolls Series), i. 267. See Miss Neilson, *Customary Rents*, p. 129. Miss Demarest cites as analogous payments certain isolated examples of *census* or *consuetudo* said to be paid into hundreds in the East Anglian counties. It is impossible to determine the exact meaning of these passages without becoming involved in the complex question of the socman in that region. 'Census', however, regularly means rent; payment into the hundred should mean that it was contributed towards the farm paid for some hundred. 'Consuetudo', on the other hand, very commonly refers to forfeitures, and they would naturally be collected in the hundred court.

the identification of the hundred pennies with the *firma noctis* remains without corroboration.

The evidence at our disposal therefore fails to admit of a definitive theory to explain all the anomalies of Anglo-Saxon finance. The carucate geld of the north-west may have been fundamentally the same as the hundred pennies or the *consuetudines* of the south-west. But whatever they may have been, they were farmed out like other royal revenues, and the rent covering them could be reckoned either in pence or in produce. Connexion between the night's farm and the customs of the hundred was quite fortuitous.

CARL STEPHENSON.

Peter Wentworth

PART II

AFTER the parliament of 1586-7 the interest of Wentworth's career changes. Hitherto he has appeared as the most insistent and courageous champion of freedom of speech, showing a profound sense of realities in perceiving that the way to victory in the puritan cause lay through a struggle for parliamentary privilege. Such freedom as he sought would, if won, have unmasked the queen's resistance to reform, and would have left her with her veto alone to oppose a massed sentiment in parliament and the clamour of puritan opinion in the country. Even in 1586-7, when he co-operated in the campaign for a presbyterian church, his part was not to lead the assault, but, when that failed, to convert the contest into one for privilege. With the year 1587, however, privilege ceased to be uppermost in his mind, and he became absorbed in the problem of the succession. It may be that as he grew old in a seemingly forlorn enterprise impatience of delay seized him: or perhaps the perilous condition of the succession cause operated as a call to strike directly for his goal. For whereas that cause had once been so vigorously supported as to leave the queen isolated in her resistance, in 1587 it was devoid of open supporters and lay lifeless for lack of a leader brave and tenacious enough to revive it. No action of Wentworth's more became his character than the endeavour to resuscitate the succession agitation which filled the remaining years of his life. If we preface our story of it with a review of the agitation in earlier years, it is because such a review seems to be an essential prologue, as yet never adequately presented, without which the qualities of mind that Wentworth's action called for are not to be appreciated; and again because Wentworth sat in all but one of the parliaments from 1571 to 1587. He witnessed and perhaps helped—though he did not lead—the agitation during those years. His mind was certainly informed by it: his campaign is hardly to be understood without knowledge of it.

Men were first troubled about the succession in the early years of Elizabeth's reign as her reluctance to marry became evident; and in October 1562, when she was taken seriously ill

and the country realized that its sovereign was mortal, all other interests were dwarfed. There were many claimants to the throne, against all of whom some legal bar could be urged; and where no certainty was, there was abundant hope and fear. Partisans schemed and spread their propaganda; others urged the settlement of the succession or opposed it according as they dreaded more the prospect of civil war at the queen's death, or the plots that gather round an heir and the desperation of competitors balked in their play for the highest of stakes. Elizabeth remained resolute throughout, fortified by precedents from David and Absalom to Queen Mary and herself. At first she was almost alone in defence of her policy of inaction. Yet by a masterly adroitness she turned that policy to account in diplomacy, and compensated herself for the anxiety which parliament's clamour for a settlement caused, by the use she made of it, first to checkmate Mary of Scotland and later to restrain James.¹ She had always to be vigilant, for whilst in parliament members strained at the leash by which she sought to hold them, outside parliament a battle of pamphlets was waged.

The parliamentary agitation opened in 1562/3 and reached its climax in 1566. Of those sessions the story has already been told.² Before a new parliament met the troubles of the reign had begun, and that unity of sentiment which had been so formidable to the queen in 1566 was shattered. Many, however, were still intransigent, and when the government introduced its treason bill³ into the commons in 1571 they saw their chance and seized it. At the first reading Thomas Norton proposed that an act of his own drafting should be incorporated in the official bill. Norton had already shown where his sympathies lay. A vigorous puritan, he had been joint author with Sackville of the play *Gorboduc*, the fifth act of which was little more than a tract for the times and contained a thinly veiled attack upon the Scottish claim to the succession.⁴ The bill which he now

¹ *Scottish Cal.* v. 497, 597, 660; vi. 76, 81, 423. *Despatches of the Marquis de Courcelles* (Bannatyne Club, 1828), p. 29. A veiled use of this weapon can be seen throughout the *Letters of Q. Eliz. and Jas. VI* (Camden Soc.), e. g. pp. 30, 32, 34, 42, 44, 46, 49, 87.

² *Ante*, xxxvi. 497 f.

³ Its provisions are represented by the first section of the printed act (*Statutes of the Realm*, iv. i. 526).

⁴ Cf. *The Tragidie of Ferrex and Porrex* (1570), Act V, Scene ii.

Right meane I his or hers upon whose name
The people rest by meane of natiue line,

.

Such one so borne within your natiue land,
Such one preferre, and in no wise admitte
The heauie yoke of forreine gouernance:
Let forreine titles yelde to publike wealth.

presented to the house renewed the attack. Its purport was given by an anonymous diarist of the session as follows :

First that whosoever in her lyfe tyme [i.e. Elizabeth's] hath doone or shall make claime to the imperiall crowne of this Realme, that hee or they or their heires shalbe forebarred of any clayme, challenge or Title to be made to that crowne at anie tyme heereafter, and every person who shall mainteyne that Title to be accompted a Traitor. And further that whosoever shall saie the court of parliament hath not auctoritie to enacte and to hynde the Title of the crowne, to be adiudged a Traitor.¹

The intention is clear enough. The retrospective force of the act was meant to be fatal to the claims of Mary and her successors.

It was a clever device to suggest the incorporation of the bill in the government's. It solved the difficulty of introducing it in face of the queen's opposition, and placed the government in a dilemma. But success was by no means assured. Legal minds stuck at retrospective laws, and though some let their zeal for the cause silence their scruples, there was weighty support for the privy councillors who urged that the bills should be kept separate, thinking probably that Norton's could be defeated in one house or the other, or at the worst that Elizabeth could quash it. Their counter-manceuvre failed, however. Both bills were entrusted to a committee with orders to join them, and when they reappeared in the house the essential character of Norton's was unchanged.² A last effort was made to disjoin them, but failed again, this time by thirty-six voices only, and the next day the expanded bill was through the commons and the government was compelled to turn for help to the more pliant upper house.³ Here they succeeded. The lords drew the sting of the bill for them. But the small majority in the commons was stubborn, and stomached the changes only after delay and conference. At length the bill was enacted as we now know it. Its retrospective force was taken away and the loss of a claimant's title to the succession no longer involved the heir's. Even so, one suspects that Elizabeth disliked it, and swallowed the diluted dose of Norton's medicine only under compulsion.⁴

One thing the session of 1571 made clear ; the queen was not

¹ Cotton MS. Titus F.i, fo. 138 b ; D'Ewes, p. 159 b. Froude's account of the events is in his *History of England*, ix. 437 f.

² *Commons' Journals*, i. 84 ; D'Ewes, pp. 162-5 ; Cotton MS. Titus F.i, fos. 142 a-143 a ; Fénelon, *Correspondance diplomatique*, iv. 57.

³ *Commons' Journals*, i. 86 ; *Trans. Devon Assoc.* (1879), xi. 480.

⁴ *Lords' Journals*, i. 683, 686, 688 ; *Commons' Journals*, i. 88-90 ; *Statutes of the Realm*, iv. i. 526-8. In his journal of this session (*Trans. Devon Assoc.* xi. 490) Hooker gives an interesting account of Elizabeth's intervention at the moment of passing the bill, and of a speech which she made. Constitutionally the incident may be regarded as an impotent survival from the days before the Crown's response was limited to aye or no. Also cf. Fénelon, *op. cit.*, iv. 136.

likely to succeed in suppressing the succession agitation whilst the catholic Mary lived or retained her claims to the throne : and though Norton's proposals were shorn of their real purpose, his assertion of parliament's right to settle the succession survived in the act, and doubtless seemed to his supporters to bring their goal nearer.

On the eve of the new parliament, which met in May 1572, the Spanish and French ambassadors both noted a general expectation that the succession question would be dealt with in the coming assembly. In March Elizabeth had suffered from what Fénelon described as a great tortion of the stomach after eating fish. During three nights Leicester and Burghley had watched by her bed ; and, as in 1562, her illness had caused the first stirrings of parties which, had she died, would probably have heralded civil strife. Fénelon thought that the queen had in consequence been reconciled to some manner of settling the succession.¹ In this he was deceived. It was not the queen's conversion but the Ridolfi plot that brought the question before parliament. Members' passions were aroused, and as the least concession to their demands, they expected that Mary would be deprived of her title to the succession. Hence instead of a covert attack such as Norton's had been, supported by a small majority in the commons and easily checkmated in the lords, there was now an open assault. The Hertford claim to the crown, so the Spanish ambassador said, was discussed in the commons—a bold act, if true, and one only to be explained by the nature of the crisis and Elizabeth's delicate position.² Both houses and her principal advisers were in favour of the bill against Mary, and she could no longer defend the Scottish queen from behind the scenes. She trod warily, but even so had openly to veto the bill, for her quibble about *la royne s'avisera* deceived no one. Wentworth had his share in these events, but unfortunately we know too little about it.

Elizabeth's vigilance was matched against the tenacity of the commons. In 1575/6 the Spanish ambassador reported that those who had wished to revive the succession question that session had been silenced, and in 1580/1 that the lord keeper had forbidden its discussion in his opening speech.³ But the fever of anxiety continued to possess people and was aggravated by an atmosphere of plots. In July 1584 William of Orange was assassinated : the nerves even of statesmen were shattered ; and the bond of association was circulated about the country, pledging all who signed it to pursue to the death any one in favour of whose title to the crown the death of Elizabeth might

¹ Fénelon, iv. 411, 426 ; *Span. Cal., Eliz.*, ii. 390.

² *Span. Cal., Eliz.*, ii. 393.

³ *Ibid.* ii. 529 ; iii. 81.

be plotted. Its spirit was the spirit of lynch law. The wrath against Mary which Elizabeth had successfully quenched in the parliaments of 1571 and 1572 burst forth anew, and when parliament met in November a bill for the queen's safety was framed with the same passionate disregard of justice that the bond of association had revealed. It disabled from their right to the throne any by whom or for whom an attempt was made against the queen's life. Probably it disabled their heirs also, and contained a section giving statutory approval to the bond of association.¹ For the substance of the bill the council seems to have been responsible; although it was framed, or at least sponsored, by a committee of the lower house. But there were many people who had refused to sign the bond of association, and there were many members of the house of commons who, having signed, had repented upon reflexion. Its obligations were not consonant with God's laws, nor yet with statute law, and when they heard its echo in the new bill they listened in sad silence.² Their passive resistance may have rallied Elizabeth to an assertion of her own wishes, and on 18 December she interfered tactfully in the interests of justice. She thanked the house for its care for her and approved of its proposals, but would have those touched by the act heard in their own defence before they were deprived of their titles; and further, would ease the conscience of any who had signed the bond of association, by taking away, presumably, the proviso which gave statutory approval to it.³

The bill was dropped and a new one framed by a committee of the house. An outline of a bill has survived which actually follows the queen's suggestions.⁴ By its provisions loss of title

¹ The contents of the bill as first put forward are probably given in State Papers, Dom., Eliz., clxxvi, no. 34. This paper is in the attorney-general Popham's hand, and I take it to be an outline of the various acts which the government proposed to initiate this session. *Ibid.* no. 11 is a proviso giving statutory approval to the bond of association. Burghley's endorsement on it, 'xv Janu.', must be wrong, for this is clearly the proviso which on 18 December Elizabeth said she would take away.

² Lansdowne MS. 98, fo. 14. This is endorsed by Burghley, 'Janu. 1584. Mr. Digges discourse upon the association'. There is a copy in State Papers, Dom., Eliz., clxxvi, no. 26, which Froude used, but it contains no clue to the author's identity. The author was a member of parliament, but the omission of Digges's name from the *Official Return* may be due to the *Return* being defective.

³ D'Ewes, p. 341 b. Digges gives the following summary of the queen's message: 'hir Maiestie would not consent that eny one should be poonished for the faulte of an other, but every one beare the burden of their owen faulte, Nor that eny thinge should passe in that Acte that should be repugnant to the Lawe of God or the Lawe of Natuer, Or greevouse to the conscience of eny of hir good subiectes. Or that should not abyde the viewe of the worlde aswell enemyes as frendes, aswell in forraigne Nations as at home. That hir maiesties confydence was in God onely for hir safetie, And singularly well lyked of the zeale of any such hir Maiesties faithfull subiectes as desired with upright conscience to serve hir and God together' (Lansdowne MS. 98, fo. 15).^{*}

⁴ State Papers, Dom., Eliz., clxxvi, no. 24.

was to be suffered only if those on whose behalf any attempt was made against the Crown had assented to it, and the accused were to be heard in their defence either personally or by deputy ; no mention was made of pursuing them to the death, and the titles of their heirs were not specifically involved. The full story of the new bill we do not know. The committee was a long time framing it. But as it finally passed into law it did not fully reflect the queen's wishes, for the clause in the outline which definitely conceded to the accused the right to defend themselves was omitted. Nevertheless, if I construe it aright, it did get rid of the objectionable character of the earlier bill, and only those were to lose their titles to the throne ' by whom or by whose means assent or privity ' any invasion or rebellion or attempt against the queen's life should be made.¹ Moreover, the bond of association was stripped of its most objectionable features, for it was not to be construed except in conformity with the act. Unfortunately the act is badly worded, and with the bond of association in their minds, rather than the trial of Mary Queen of Scots, historians have usually assumed—erroneously I think—that it nullified the title of any one in whose favour, merely, plots were hatched.²

We cannot leave this act without telling the interesting history that lies behind its second clause, for it brings out most forcibly the fear of the future which possessed even Burghley's mind and which we shall see was the spring of Wentworth's activity. The second clause, setting up a tribunal to discover and punish the guilty in the event of the queen's death by violence, is only a remnant of a larger scheme. Burghley was tormented by the thought that under the usual constitutional procedure anarchy must follow the murder of the queen, for with her death all appointments to office would lapse, and the collapse of government would play into the hands of the murderers. To guard against this he devised a scheme for an organized interregnum, which he proposed to embody in the act for the queen's safety. Two outlines of his proposals exist in his own handwriting, and

¹ *Statutes of the Realm*, iv. i. 705. This passage, which I have abbreviated, states, so I think, the intention of the whole of the first clause. The clause goes on to provide that if the queen's death results from any attempt against her life ' then every such person by or for whom any such act shall be executed and their issues *being any wise assenting or privity to the same* ' shall be excluded from their title to the crown. In the *Statutes of the Realm* the passage is so punctuated as to make the words that I have italicized refer only to ' their issues '. Statutes, however, are without punctuation, and the qualification surely applies also to the words ' every such person '. If it applies in the case of the greatest crime, then *a maiore* it applies in the case of the lesser crimes. As a matter of fact the act was interpreted as I have interpreted it at the trial of Mary Queen of Scots.

² Cf. Pollard, *Political Hist.*, 1547-1603, p. 387 ; Creighton, *Queen Elizabeth* (new ed.), p. 214 ; Pollen, *Queen Mary and the Babington Plot*, p. xciii.

a full draft with his revisions.¹ All persons in authority at the time of the queen's murder were to retain their offices ; a grand council was to come into being which would govern the realm and punish those responsible for the assassination ; parliament and convocation were to be summoned in order to settle the succession, and, that the danger of elections might be avoided, their membership was to be the same as in the last assemblies held during the queen's life. The rôle allotted to parliament is striking. For a time it was to act virtually as a sovereign body. Members of the grand council were to appear before it, make report of all their proceedings, and submit the continuance, cessation, or alteration of their authority or of their numbers and the ratification of their acts to its judgement. Each house, moreover, was to appoint ten of its members to take over control of the finances, and the council was empowered to conclude treaties and utilize the forces of the realm only until the parliament should declare otherwise. Had the scheme prospered the act would have been one of our most significant constitutional documents. Unfortunately it foundered, and only a miserable wreck survived. The grand council was converted into a tribunal. All else was swept away. There can be little doubt that Elizabeth would not tolerate such vulgar prying into the mysteries of government. The estate of monarchy could not but have been prejudiced by the scheme. It savoured of popularity and must have violated her regal sense.

With the parliament of 1586-7 we come to the end of our introduction. Hitherto there had been no lack of members only too eager to raise the question of the succession. Baffled in their attempts to persuade Elizabeth to name her heir, they had fallen back upon the alternative of destroying Mary's title to the throne, by which means they would have rid themselves of their worst fears. With great courage Elizabeth had consistently withstood them, but the torrent of public wrath at last became too strong for her and Mary was executed. That unhappy event solved the acutest of the succession problems, and though uncertainty still reigned many people were now content to let time work out its own solution. Even those who still remained faithful to the cause found their passion dulled by the passing of a great fear, and were the more easily cowed into silence by the well-known opposition of the queen. Save in the secrets of men's minds the cause was dead, unless some leader of outstanding courage and

¹ State Papers, Dom., Eliz., clxxvi, nos. 22, 30, 39. Also cf. no. 28. Burghley may have partly derived his ideas from a discourse, probably written by Digges (*ibid.* no. 32). I impute the authorship of the discourse to Digges because in his other discourse upon the association to which I have already referred, he mentions 'this other short treatise', which I take to be this.

pertinacity would dare to breathe new life into it. Such a leader was Peter Wentworth.

Wentworth had been interested in the succession question since about 1563, and had played some part—though what, we are hardly aware—in the parliamentary agitation against Mary. It was some time in the eighties, however, that he seriously devoted himself to the cause, and his first concern was to write a pamphlet for which he had long been gathering material. This was his *Pithie Exhortation to her Maiestie for Establishing her Succession to the Crown*. It was written probably in 1587¹ and later handed to Dr. Thomas Sparke, a Buckinghamshire minister, to be reviewed. Sparke professed to have set its arguments in better order and to have mollified its harsh phrases, but whether in revising it Wentworth undid much of his pruning, or not, the work is remarkably outspoken.²

As its title implies, the pamphlet is addressed to the queen, and its object is to urge her speedily to summon a parliament, there to have all titles and claims to the succession examined, and then forthwith by its authority to make known the rightful heir. The exhortation is supported by arguments, some characteristic of the whole succession agitation, others of Wentworth himself; and biblical, classical, and historical allusions abound to give point and weight to them. It is usual, says Wentworth, early in the pamphlet, for the Holy Ghost to call princes 'Gods and nursing Fathers and nursing mothers vnto his Church'. These titles 'proue the honorableness and lawfulness of your high callings, against all Anabaptisticall spirites'; but they also 'teache you your duties', which include provision for the future. An uncertain succession can only result in extreme confusion and the subversion of the realm, and if you would not have God regard you as 'one that had denied the faith, and so worse than an infidell', you must perform this Christian duty of settling the succession. Moses, David, and Hezekiah, the Medes, Persians, and Romans, Henry VIII, all furnish him with quotations or stories to intensify the obloquy which a refusal would merit. Drawing upon his imagination and echoing the fears of his contemporaries he gives a harrowing picture of the state of England if Elizabeth should die and no successor be known. Competitors and their supporters will be up in arms; common people, unacquainted with their titles, will be at their wits' end, not knowing what part to take and yet driven to take some;

¹ Wentworth said that he wrote the pamphlet six years before the parliament of 1592/3 (Add. MS. 24664, fo. 44 b). It was published surreptitiously by his friends in 1598, after his death.

² Sparke's confession, Harleian MS. 6846, fo. 101. Also see his tract, 'A Brotherly Persuasion to Unitie . . . (1607), pref. There is an account of Sparke in the *Dict. of Nat. Biog.*

and soon the whole realm will be rent into as many shivers as there be competitors. Party will consume and devour party, and the land be so weakened that it will become an easy prey to foreign enemies. The strong will be slain in the field, children and infants murdered in every town; the rich will not be able to say, 'This is mine', but they, as well as the poor, will think themselves happy if they may have their lives for a prey; religion will be laid in the dust, and neither God nor man will be regarded.¹

But the interests of the queen no less demand the settlement of the succession, says Wentworth; for the strength of princes and the safety of their thrones depend principally upon this, 'that they alienate not the hearts of their subiectes from them, by their vnkinde and mercielesse dealing towards them'. The story of Rehoboam drives his point home. What arguments he can conceive might be advanced against a settlement, these he answers. The more difficult the elucidation of the titles, the more dangerous is delay; and as for the supposed danger to Elizabeth's person in naming a successor, even supposing the fears to be well grounded, yet the perils of the realm are great and palpable and duty is to be preferred to our own safety. With shrewdness he reminds the queen that Esther did not shrink from entering Ahasuerus's presence to save her people.

Towards the close of the pamphlet comes a passage of amazing daring :

True and vnfaigned loue doeth euen force vs to vtter vnto you (our most deare and natural Soueraigne) that when soeuer it sall please God to touche you with the pangs of death (as die most certainlie you shall, and howe soone is knowne to none but to the Lord onlie) if your Maiestie doe not settle the succession in your life-time, which God for his mercies sake long prolong, we do greatlie feare, that your grace shall, then, finde such a troubled soule and conscience, yea, ten thousand helles in your soule, euen such bitter vexation of soule and hart for the perilling of the Church of God, and of your naturall countrie, as to be released therof, you would giue the whole world, if you had it. . . . Wee beseeche your Maiestie to consider, whither your noble person is like to come to that honorable burial, that your honorable progenitours haue had . . . if your successor be not settled before your death. . . . Wee doe assure our selues, that the breath shall be no sooner out of your body . . . but that al your nobility, counsellours, and whole people will be vp in armes . . . and then it is to be feared . . . that your noble person shall lye vpon the earth vnburied, as a dolefull spectacle to the worlde. . . . Againe, we feare . . . that . . . you shall leaue behind you such a name of infamie throughout the whole world . . . that the forethinking therof, cannot . . . but deepe lie griue and wound your honorable, pitifull and tender heart.²

¹ Cf. the closing speech in *Gorboduc*, Act V.

² *Pithie Exhortation* . . . (1598).

About three months before the parliament of 1588/9 Wentworth handed his pamphlet to John Blundeville of Banbury, a schoolmaster, to be written out in a fair hand, telling him that it was 'a supplicacion to be deliuered by the Courte of Parliament vnto her Maiestie'.¹ He was intending to revive the succession agitation. Unfortunately for his plans parliament met shortly after the defeat of the Armada, and the time could hardly have been less propitious for stirring up controversies. Perhaps he recognized this, but he was much too conscious of the urgency of his suit to abandon it altogether, and as an alternative to parliamentary action he tried to see Burghley and induce him personally to prevail upon the queen to settle the succession. It was of no use. Burghley simply denied him his presence, though he made three or four attempts to see him during the session. Wentworth, however, was not a man who readily forsook his plans, and in the spring of 1590 he came to London again and renewed his approaches. It may have been then, or perhaps it was in the previous year in parliament time, that he wrote him a 'sharpe, yet trew louinge letter'. Whichever it was, the honourable and gentle reply that he received gave Wentworth an opening for a further letter on 9 May, in which he chided the statesman for the long-continued displeasure and heavy countenance he had shown towards him; as though he had given cause for offence when in reality he had sought to load him with the greatest honour and benefits that could be wished, to win him the favour of God, the queen, and the whole realm, great love, a good name, an easy conscience; and these by persuading him to perform a service which his place, his honour, and his duty bade him perform. Burghley answered with a courteous letter reassuring Wentworth of his good opinion of him.² Nothing more was to be expected, for, whatever his personal views, he was too wise a man to venture further. Wentworth now forsook Burghley and pinned his faith on a Dr. Moffat, to whom he gave his *Pithie Exhortation* so that he might move the earl of Essex and have it presented to the queen. Unfortunately Moffat sent it to a tailor's shop to be copied, copies got abroad, and the secret being out, Wentworth was sent for by the privy council.³ This was in August 1591, and on the fifteenth his appearance was entered in the council register. He was committed a close prisoner to the Gatehouse, and an order was issued for the search of his house and of Mr. Anthony Cope's where last he abode, 'for all letters, bookes, or writings whatsoever that may concern . . .

¹ Blundeville's confession, Harleian MS. 6846, fo. 92.

² State Papers, Dom., Eliz., ccxxxii, nos. 16, 19.

³ *Ibid.* ccxi, no. 21. 'owte of cobblers and taylors shoppes', is misread in the *Calendar*. Also cf. Harleian MS. 6846, fos. 90, 92.

matter that hath bene or may be intended to be moved in Parliament, and especially suche notes, collections, books or papers as conteine matter towching the establishing of the succession'.¹

Wentworth was incorrigible. Whilst under restraint he turned his mind, not to submission and apology which might have reduced his term of imprisonment, but to the old plan of winning Burghley over to his cause. Two letters of his are extant, written from the Gatehouse.² The one is a private note, without address or date, which was enclosed with a more formal letter. There can be little doubt that it was written to Burghley, and probably the enclosure to which it refers is the other surviving letter, addressed to him: although the date of this—27 September—is rather longer after his committal than one might have expected. In the private note Wentworth explains why he said so little at his examination in defence of his pamphlet. The copy the councillors had was not made with his consent or knowledge; in naming it 'A booke of the heyre apparante' the lord chancellor so misdescribed it that he thought it could not be his, and it would have been the height of folly to justify anything the nature of which he was not sure of. However, he is prepared to acknowledge and justify his own work. Then he turns to entreat Burghley's help in persuading the queen to settle the succession, and asks him to alter the more formal letter that he encloses, if he thinks fit, that he may rewrite it. For he presumes that the statesman will show it to the queen and in that way will be able to urge her to give heed to it without risking her wrath by raising the question himself. The enclosed letter is a lengthy epitome of Wentworth's arguments for the naming of an heir, and is also an appeal to Burghley to induce the queen to adopt that policy. It is likely, Wentworth admits, that she will be offended when first she reads his *Pithie Exhortation*, but he is convinced that her rare wisdom and deep judgement will soon show her the force of his reasons. And though she be displeased, that would not trouble him, for the spirit of God in Solomon had said, 'The woundes of a louer are faythefull: and the kisses of an enemye are deceytfulle'; and he preferred 'to wounde her maiestie faythefully, thereby seekinge her preservation'.

On 21 November Wentworth was set free from the Gatehouse upon his own bonds and confined to the house of one unnamed in Whitechapel. In all he was under restraint twenty-five weeks and five days, and his final release therefore came on or about 11 February 1591/2.³ It was lenient treatment, compared at least with that meted out to Roger Edwards, who had written

¹ Dasent, *Acts of the Privy Council*, xxi. 392-3.

² State Papers, Dom., Eliz., ccxl, nos. 21, 21'.

³ Add. MS. 24664, fo. 51 a.

a tract, *Castra Regis*, in 1567/8, opposing a settlement of the succession, and, when copies of the tract got abroad, had been fined £500 and imprisoned in the Tower for fifteen months, despite the fact that he had advocated what was the queen's policy.¹ Wentworth's impression that Burghley looked upon his cause with favour may therefore have been correct. At the council table, so he said, Burghley affirmed that he had thrice read his pamphlet and was assured that its arguments were true; the queen, however, had determined 'that that question should be suppressed so long as euer she liued'.² With whatever justification, Wentworth was coming to believe that his campaign might be permitted. In prison he had written his short treatise, afterwards appended to the *Pithie Exhortation*, answering the objection that the king of Scots would become an enemy of England if a settlement of the succession were arrived at and proved unfavourable to him; and he declared that he wrote it at the instance of privy councillors. His strong imagination led him on to conceive that the queen had seen and approved of his book, and when a parliament was called for February 1592/3, he assured himself for a time—or at any rate he assured others—that it was called to discuss the settlement of the succession.³

The parliament of 1592/3 has had an ill fame in the history of parliamentary liberties, what with its cryptic definition of free speech, 'your privilege is aye or no', and the savage punishment that befell Wentworth for meddling with the succession question. But constitutional history, above all, has been rich in fiction, and that ill fame has little more substance than a myth. As the 'aye or no' speech has been corrected,⁴ so now must we discard the conventional explanation of Wentworth's imprisonment; and for the same reason, namely, that we have sounder authorities than D'Ewes's *Journals*. Not indeed that D'Ewes's account is so lamentably wrong over Wentworth's activities: we must determine later what reliance can be placed upon it. But instead of depending upon a partial and misleading narrative, we can now reconstruct our story from the original depositions and confessions of Wentworth and his associates, which were preserved by the lord keeper, Puckering, and after passing into the Baker collection of manuscripts, found their way through the Harleian library into the British Museum.⁵ The story they present is a very detailed and surprising one.

¹ See the edition of the tract by the Roxburghe Club (1846).

² *Pithie Exhortation* (1598), the 'Discourse', p. 3.

³ Cf. the various confessions and depositions of 1592/3, Harleian MS. 6846, fos. 88, 92, 94, 96, 97.

⁴ *Ante*, xxxi. 128.

⁵ Harleian MS. 6846, fo. 65 f. There are transcripts, *ibid.* 7042, fo. 171 f.

As we have seen, Wentworth seems to have persuaded himself, at least momentarily, that the opportunity which he had been seeking for some time was to be afforded him in the coming parliament. He was determined that it should not be lost; indeed, that it should be forced, if it was not afforded: and so he set to work with his preparations before the assembly met. He talked to his friends in the country; evidently he busied himself also in the parliamentary elections, for he told a friend that 'he had travayled into dyuerse places and laboured to procure such Burgesses as might fauour the . . . cause'.¹ Finally he brought with him to London all the papers necessary for his campaign: a speech with which he was to introduce the succession question in the commons; a bill ready drafted with blanks to be filled in after parliament had determined the order of the succession; perhaps a petition to the house of lords for its co-operation, although here Wentworth differed from other deponents in asserting that it was not written out; a petition of both houses to the queen; a thanksgiving to be offered if she acceded to their request, and a rejoinder for a possible refusal; his *Pithie Exhortation*, written out anew by Blundeville; and perhaps notes of objections that might be raised against his plans, and answers to them.²

Parliament was opened on Monday, 19 February, and then adjourned until the Thursday. On Tuesday, 20 February, Wentworth met a friend, Black Oliver St. John, cousin to Oliver St. John of Bedfordshire, the brother of Lord St. John.³ He asked him to come to Lincoln's Inn the next day to the chambers of Humphrey Winch, member for Bedford, and to bring any honest gentlemen with him whom he knew, for he meant 'to acquaynte certeyne with some things he had donne and purposed to deale in this parlement that if they dislyked anye thinge the same mighte be corrected by them, if theye lyked it that then they might promise to further the same in the best sort theye mighte'. So far as we know, this St. John was not a member of parliament.⁴ Perhaps he had sought election but had been defeated. In any event he appears to have been in close collaboration with Wentworth and to have acted as his lieutenant in the campaign, an undertaking doubly dangerous for a private person. He had been at Wentworth's house the previous summer and

¹ Robert Lynford's deposition, Harleian MS. 6846, fo. 96.

² Harleian MS. 6846, fos. 65-108, *passim*.

³ See *Dict. of Nat. Biog.* (orig. ed.), i. 150 b; *Notes and Queries*, 2nd ser., vii. 27; *Letters of Lord Carew to Sir Thomas Rowe* (Camden Soc.), pp. 140-3.

⁴ An Oliver St. John was member for Cirencester in 1592/3, but he is usually said to have been the Wiltshire St. John, afterwards Viscount Grandison, and I assume this to be correct since Winch was doubtful whether Black Oliver was a member (Harleian MS. 6846, fo. 81). The writ and return for the borough are missing.

had talked with him about the succession, and had then spread amongst country gentlemen Wentworth's belief that the question would be dealt with in the next parliament. He had spoken to Sir John and Oliver St. John of Wiltshire, to a Mr. Butler who had been with him at Wentworth's house, and to two Sussex gentlemen, Mr. Hobson and Mr. White; and since the meeting of parliament he had spoken to his cousin Oliver and to a member named Peck.¹ Probably these are only a few of the people he approached, for he was not likely to expose the full measure of his activities to the privy council. On the Tuesday night after meeting Wentworth he saw Richard Blount of Sussex, son-in-law of Lord Delaware and member for Lymington, with whom he had already spoken about the matter, and invited him to the meeting. Similarly he invited Henry Apsley of Gray's Inn, one of the members for Hastings, a man, he said, fearful to offend and of good judgement in the laws of the land. Wentworth for his part called on Richard Stephens of the Middle Temple, a member for Newport in Cornwall, left his *Pithie Exhortation* and another of the papers with him for perusal, and coming for them the next morning told him of the meeting and persuaded him to attend.

On the Wednesday morning these five, along with Oliver St. John of Bedfordshire, and Winch, met at the latter's chambers. Blount was uneasy about the legality of the meeting and the trustworthiness of those present—an ominous sign; but he was reassured. The morning was spent in reading and discussing some of the papers which Wentworth had brought to town with him, and after dinner two more hours were passed in reviewing the others. Knowing how downright was Wentworth's language, we are not surprised that the tone of his writings was generally disliked. The speech was especially offensive, for Wentworth had let his homilies upon the duties of the queen and councillors run without restraint. Altogether, his lack of moderation was not likely to stay the fears of men who had but little experience of parliament, and most of whom were more diffident, or certainly more cautious than himself. Consequently it was proposed by some that the campaign in parliament should be opened with the petition to the queen, and that the bill should be proceeded with only after receiving her sanction. To this Wentworth was opposed. He feared, as Blount said, 'lest if her Maiesty once misliked it and reiect it, in duty then it could not be offred'; and he advanced the argument that the house was not possessed of the matter nor would meddle therein without a bill. The

¹ St. John's confession, Harleian MS. 6846, fo. 88. Probably Wentworth's other friends talked also, and one is reminded of Doleman's statement that in Amsterdam it was presumed the succession question would be discussed this session (*A Conference about the next Succession . . .*, by R. Doleman, 1594, pref.).

uneasiness was not dispelled by this argument, and Wentworth was urged to consult some old, discreet, and grave parliament men, James Morice and Serjeant Yelverton being mentioned amongst others. To Yelverton Wentworth would not agree, because he was too timid; and he went on to justify his lack of trust in great parliament men by telling of their breach of faith in earlier undertakings of his. To consult Morice, however, he readily agreed. The papers were then handed to Winch, Stephens, and Apsley to be looked over at their leisure, and the meeting broke up.¹

The following morning, Thursday, Wentworth went to see Morice according to his promise. Of the interview we have Morice's account, which reflects very well the change that had taken place in the attitude of many prominent men towards the problem of the succession. The old certainty of the need for a settlement had weakened, doubtless in consequence of Mary's death; in some minds, as in Morice's, it had vanished; and the dominant feeling was one of fear to touch the subject. When Wentworth told him that he wished to consult him about moving the succession in parliament, 'Succession!' was his comment, 'what is he that dare meddle with it?' He reminded Wentworth of his late trouble over the same cause, and tried to dissuade him from his plans. When Wentworth came to see him the next day for his opinion on the speech that had been left with him, Morice's attitude was unchanged. He disapproved uncompromisingly of the whole scheme, pouring scorn on Wentworth's writings, refused to be a party to a conference on this or any other parliamentary subject, and recalled Wentworth's imprisonment for the conference on religious questions in 1586/7. He was sceptical of the other's optimism, and prophesied an instant inhibition from the queen. Moreover, he confessed that he himself had been converted by Dr. Wotton to the view that it was neither safe for the queen nor good for the realm to deal in the matter. In high dudgeon Wentworth left him.²

That afternoon, Friday, there was to have been a further conference at Winch's chambers. Black Oliver St. John met Blount in the morning and invited him to attend. He refused. From the first he had been uneasy in his mind, and was not reassured when on the Wednesday, after the conference, he had

¹ This account is pieced together from the various papers in Harleian MS. 6846, fo. 65 f. For the parliamentary seats of the members named, see the *Official Return*.

² Morice's confession, Harleian MS. 6846, fo. 108. Morice inserted this confession in his account of his imprisonment—or rather, restraint—this session. That account is in the Baker MSS. at Cambridge (vol. xl) and is entitled, 'A Remembrance of certain matters concerninge the Clergye and theire Jurisdiction'. I am indebted to Miss M. B. Hume of Radcliffe College, U.S.A., for calling my attention to the references to Wentworth and for lending me her transcript of the document.

met Sir Thomas West and been advised not to proceed any farther unless it was agreed to open the campaign by petitioning the queen. The lord keeper's speech on the Thursday had confirmed his fears.¹ What was the attitude of the others, or who were invited to the second conference, we do not know, for it was never held. News of Wentworth's scheming had leaked out, and within an hour or two of seeing Morice he was summoned before a number of privy councillors and committed to prison.²

For reasons which we shall examine later it seems probable that the council did not immediately learn of the conference at Winch's chambers, but when they did, all who were implicated were summoned before Lord Keeper Puckering, Lord Buckhurst, and Sir Robert Cecil, and examined. Notes were taken of the examinations, and these, along with a number of the confessions written by the accused, form the body of papers from which our narrative has been constructed. The first in date is Apsley's confession on 10 March. Stephens's, which bears no date, may have been as early or earlier. The next is the first of two sets of questions submitted to Wentworth, along with his replies: the date is 12 March, just over a fortnight, be it noted, after his first summons before the council. On the same day or the following Winch was examined, and on the 13th and 14th he wrote out two confessions. Blount was examined on 13 March, and Black Oliver St. John wrote a deposition on the 14th. With further details in their hands the councillors re-examined Wentworth on the 14th, and on the 17th Morice was before them and wrote an account of his interview with Wentworth. Blundeville and Sparke were sent for and examined on 22 and 27 March respectively, and one Robert Lynford added some details of a conversation which Wentworth had with Mr. Bulkley before coming to the parliament. From a memorandum of Puckering's we learn that Oliver St. John of Bedfordshire, and Wentworth's son, who had handled his father's papers, were also examined. But their depositions have not survived.

Wentworth showed something of the old stubbornness in his examinations. Some questions he had to be charged upon his allegiance to answer; others he refused to answer. At first he was apparently unaware that the council had knowledge of the conference at Lincoln's Inn. His early answers in the first examination avoided any mention of the conference or of any actions since the summoning of parliament. The government wanted information about all his activities since the parliament of 1588/9, evidently suspecting that he had conducted propaganda

¹ Blount's confession, Harleian MS. 6846, fo. 75.

² *Ibid.* fo. 108; Baker MSS. (Cambridge), xl. 31.

and organized a party in the country ; and Wentworth seized upon the range of time in their questions to conceal what he had done since 1592. As the questions succeeded one another, however, he must have realized that the secret was out. The fifth cornered him, and he was compelled upon his allegiance to divulge the names of Stephens and Winch. Even so, one would be unaware from his answers that a conference had been held or a parliamentary campaign planned. It was the others who gave the council its material evidence. Between this first examination on 12 March and the second surviving one on the 14th, there may have been an intermediate examination, the details of which have not come down to us. On 14 March the council merely wished to discover where the papers were that he had had at Winch's chambers, and how far Morice and Yelverton were implicated in his schemes. One answer of Wentworth's on this occasion deserves notice : he would not, he said, give up the draft of his speech, since it was to have been delivered in parliament, where speech was free, and he claimed the privilege of parliament in refusing to show it.¹

As a result of the inquiry Wentworth remained in the Tower and Stephens in the Fleet. Winch, Apsley, Blount, and Oliver St. John of Bedfordshire do not appear to have been imprisoned nor to have been stayed from attending the parliament.² They were merely bound over by recognizances on 14 March not to leave London or Westminster without licence, and to appear when summoned ; and all save St. John, and perhaps even he, had to sign an agreement not to disclose the proceedings at the inquiry, nor to confer with any one about the succession, but to report any news of such a conference that they might hear.³ What happened to Black Oliver St. John we do not know. He can hardly have escaped punishment. It looks as though a number of succession pamphlets were found in his rooms, judging from the questions put to Wentworth ; and no doubt his offence was exaggerated by his not being a member of parliament. Morice was already under restraint at the house of Sir John Fortescue for delivering two bills into the commons which entrenched upon the queen's ecclesiastical supremacy ; and his association with Wentworth, innocent though it was of real offence, simply deepened Elizabeth's displeasure with him.⁴

So far we have proceeded with our narrative entirely from the new sources. They leave a gap in the story, however, and we must now turn to D'Ewes's account of what happened this session.

¹ Harleian MS. 6846, fos. 67 f.

² Reference to one or other of these members this session will be found in D'Ewes, pp. 474 a, 475 b, 489 b, 501 b, 512 b.

³ Harleian MS. 6846, fos. 73, 77 ; Birch, *Memoirs of Queen Elizabeth*, i. 96.

⁴ Baker MSS. xl. 128.

It is taken from an anonymous member's diary of the parliament, and the important passages, which appear under Saturday, 24 February, are the following :

This day Mr. Peter Wentworth and Sir Henry Bromley delivered a Petition unto the Lord Keeper, therein desiring the Lords of the Upper House to be suppliants with them of the lower House unto her Majesty for Entailing the Succession of the Crown, whereof a Bill was readily drawn by them. . . .

The day after . . . they were called before the Lord Treasurer, the Lord Buckhurst and Sir Thomas Heneage. The Lords intreated them favourably and with good Speeches ; But so highly was her Majesty offended that they must needs commit them, and so they told them. Whereupon Mr. Peter Wentworth was sent Prisoner unto the Tower ; Sir Henry Bromley and one Mr. Richard Stevens, to whom Sir Henry Bromley had imparted the matter, were sent to the Fleet, as also Mr. Welch the other Knight for Worcestershire.

About this matter in the beginning of the Parliament was appointed a Committee to be had of many grave, wise and ancient Parliament men, which were of the House, but at this time few met at the place appointed, at least not such as were expected.

It was appointed also at this time to Mr. Stevens to peruse the penning of the Petition that should have been delivered to that House, and to have provided a Speech upon the delivery of it. . . . What other things were done or spoken in that Conference, were, as I heard, confessed to some of the Privy-Council by some of those Parties that were present at that Conference. All that were there, except those before-named, went free and were never called in question that I heard of.¹

In the first place it will be noticed that the last two paragraphs read like a postscript giving later information, and that they are a fairly accurate, if only partial account of the events which I have described. Their chief error lies in the words 'was appointed a Committee' ; but even here it may only be a supposition of ours that the phrase refers to any action taken in parliament. The first paragraph, which is the one usually quoted, is at first sight perplexing. It is strange that no one has yet ventured to doubt the conventional interpretation of it. The Speaker was ill on the Saturday, no business was transacted in the lower house, and therefore any action taken by Wentworth and Bromley could only have been by way of a private venture. That in fact it is inaccurate we now know, since Wentworth was first summoned before the council on the Friday and not on the Saturday. But admitting that anything which these two members did was extra-parliamentary,² we have yet to probe the truth that may lie in the paragraph.

¹ D'Ewes, pp. 470-1.

² If further proof were needed that no parliamentary action was taken, Wentworth

So far Bromley has been deliberately excluded from our narrative. We do not possess his depositions, nor do we possess Walshe's, though no doubt these and others once existed; and only in Stephens's confession is there a reference to him. The reference is as follows:

It is allreadie confessed and knowen, what I said to Sir Henry Bromley knight. The said Sir Henrie meetinge me in Fleete streate in the eueninge on the friday night, told me, that he had bene examined before some of the Lords of the counsell touchinge this matter, and had forborne to shew their Lordshippes, that he heard thereof by me, vntill he might haue my consent so to doe. I then answered him, that I was lothe, that he should abide trouble through me, and had rather it lighted on my selfe; and so consented, that he might discouer my name to their honors.¹

This and the entry of the anonymous diarist given by D'Ewes furnish the only positive evidence about Bromley's actions that I know of, except that Morice confirms the fact of his imprisonment as an accomplice of Wentworth's.² But the evidence will carry us a fair way if it is carefully reviewed. Wentworth and Bromley were first examined by a group of councillors on Friday, 23 February: Bromley was not committed after this preliminary inquiry, although Wentworth was, if we may believe Morice. On the Saturday or Sunday a further examination took place which implicated Stephens, and probably Walshe also, unless he had likewise been before the council on the Friday. According to the anonymous diarist all four were thereupon committed. A fortnight elapsed and then came Apsley's confession, which, if we omit Stephens's undated confession, was the first of a series relating to the conference at Winch's chambers on 21 February. We cannot, I think, regard these later examinations merely as a continuance of the earlier. The group of councillors was different, and the questions put to Wentworth on 12 March were not supplementary ones: they suggest rather the opening of a new inquiry; and Wentworth, as I have already pointed out, appears to have been unaware beforehand that the secret of the conference was known. If Wentworth did not disclose the secret, there was no need for Bromley or Walshe to have done so, for neither were parties to the conference; and as for Stephens, his remark, 'It is allreadie confessed and knowen, what I said to Sir Henry Bromley', which comes in his later confession, may be taken to imply that when he was first examined on Saturday or Sunday, 24 or 25 February, he, like Wentworth, maintained a

himself might be cited. In a letter to the council, written on 11 November 1593, he states: 'And the bill and Petition the which I intended to prefferr into the howse . . . I preferred them not into the howse; but am punished for that I intended to prefferr them' (Add. MS. 24664, fo. 44 b).

¹ Harleian MS. 6846, fo. 98 b.

² Baker MSS. xl. 131.

discreet silence. However, if we infer that the government was ignorant of the conference when Wentworth, Stephens, Bromley, and Walshe were committed, we must postulate some other offence to account for their imprisonment, and so assume a widening of the earlier conspiracy. The connecting link is Stephens. It was he who involved Bromley in Wentworth's schemes, and Bromley probably who involved Walshe.

The difficulty, however, is to discover what these four did, our only evidence being the anonymous diarist's statement that Wentworth and Bromley presented a petition to the lord keeper ; but, as we have already accepted so much of this writer's narrative, we may as well see what can be made of the statement. If we remember that at the last parliament Wentworth tried to use Burghley as an agent, it is not altogether incredible that this session he tried to use Puckering. For such an attempt Bromley would have been useful, since he was the son and heir of the late lord keeper ; and it is possible that he and Wentworth approached Puckering in the hope of winning him over to support their cause, and either facilitate in some way or other the joint action of the two houses of parliament, or intervene for them with the queen. If the lord keeper was informed of their plans, then, whatever his own sympathies, as a privy councillor he was bound to disclose them ; and perhaps in this way Wentworth and Bromley came to be summoned before the council. Walshe was implicated, though how we do not know.

However, the factor of probability is soon exhausted in this sort of speculation, and my suggestions are lame enough already. I find it difficult to believe that if Wentworth distrusted Yelverton he trusted Puckering, and on the whole I think it safer to query the story of the petition and to leave the precise nature of Bromley and Walshe's co-operation with Wentworth an unsolved problem. All we can say with assurance is that they must have been active in some way, news of which leaked out ; Stephens was involved as the link between Wentworth and Bromley ; and these four managed to confine their revelations to their own group, so that at first the council was unaware of the real extent of Wentworth's actions. Our first-hand authorities tell us no more. Says Stephens,

On the friday . . . Mr. Wentworth tolde me, that it was knowen abroad, that he meant to make the motion for the succession, and that he was sent for by the right honourable Mr. Vicechamberlein, but said he I will not hurt any of those, whose aduise I vse in this matter.¹

Here, where we might have expected it, there is no hint of the petition. It does not necessarily follow, because most of those

¹ Harleian MS. 6846, fo. 98 b.

who met at Winch's chambers went free whereas Bromley and Walshe were imprisoned, that these two members had committed a more heinous offence than the former. They were imprisoned before the council learnt of the conference, and since Winch, Apsley, and the rest showed in their confessions that without vigorous leadership they would have feared to do anything, Bromley and Walshe were sufficient scapegoats and their punishment a salutary lesson to the others. By silencing Wentworth the council had effectually scotched the succession agitation. No doubt, had that conference taken place which was intended on the Friday afternoon, Bromley and Walshe, and perhaps other new adherents, would have attended, and a conspiracy which was marred at first by the timidity and inexperience of its members might have become formidable.

One point, however, we must make perfectly clear. None of these members of parliament were imprisoned for anything that they had said or done in parliament; and when on 10 March Mr. Wroth moved in the commons that the house should sue to the queen for the release of its members, the privy councillors replied very much as they had done in 1586/7: 'her Majesty had Committed them for Causes best known to her self, and for us to press her Majesty with this Suit, we should but hinder them whose good we seek.'¹

Here we may conveniently turn aside to examine two manuscripts in the British Museum.² The one is headed 'Peter Wentworth speech when the Queen would dissolue the parliament'; the other, 'A speech by him deliuered for the Speaker to say vnto the Queene'. The first is a brief speech moving the Speaker to entreat the lords that they join in a message which he is to read to the queen. The second is the message. They assume a situation in which a bill has been introduced into the commons to settle the succession, a supplication sent to the queen for permission to proceed with it, and a subsidy and two-fifteenths offered to procure her approval. In reply the queen has intimated that on a certain day—so uncertain that blank spaces are left where the date should be—she will dissolve the parliament; and she has therefore preferred to lose her supplies rather than settle the succession. At first sight the documents are puzzling. So far as we know there never was such a situation in Elizabeth's reign. But the mystery vanishes when one recollects the various papers which Wentworth brought with him to the parliament of 1592/3. Among them was a reply written lest Elizabeth should deny parliament's suit; and one might suspect that the new manuscripts are transcripts of two of the very papers read at Winch's chambers. But they are not. The threatened

¹ D'Ewes, p. 497.

² Harleian MS. 1877, fos. 37 b-39.

dissolution is a frill not alluded to in the 1592/3 depositions, and what meagre internal evidence there is suggests an earlier date. Wentworth remarked once that he had rough-hewed the bill and petition of 1592/3 twenty years before,¹ and this speech and message therefore were probably discarded drafts, written some time in the eighties, out of which grew the reply to the queen's possible refusal which he took to London with him in 1592/3.

They are remarkable speeches, as bold in expression as anything of Wentworth's that we know; and it is easy to imagine from them what was the tone of some of the papers to which Winch and others took exception at their conference in Lincoln's Inn. The first speech opens thus :

Ah Mr. Speaker ther was neuer so dolefull a message sent by any Prince nor receaued by any Subiectes. See theeffect therof and ponder grauely what it importeth. It is as much to say as her maiestie had rather refuse our reliefe of mony for the which (wee doubt the parliament was assembled) then her maiestie would see the state preserued. Is this loue (Mr. Speaker) no surely : I cannot so take it, neither can I hold my peace for any displeasure, but I must needes earnestly require you, and the whole house presently to goe to the Quenes Maiestie with this message. . . . And albeit the speech (Mr. Speaker) wilbe iudged (of some here) to be ouer sharp I shall require them to consider that it is the opinions of the best surgeons, that dead flesh must haue sharpe corseyes to eat it out, it may otherwise perill the whole body. . . .

The second speech, or message, first refers to the notice of parliament's imminent dissolution, and then continues :

[The nobles and commons] loue, they protest, your maiesties soule and body in most dutifull wise. And therefore they haue willed me to shew your maiestie that they tremble lest that your maiestie should iustly deserue god his euerlasting wrath through wilfull and most lamentable and vnnaturall murther, they do meane the murther of an infinite number of your owne people and innocentes and that not for the shedding of one drop of blood only; but for making riuers to run therof, and that, that is also most greuous vtterly to subuert the whole state. . . . And would not your maiestie haue the state preserued : but rather vtterly subuerted, with the mercilesse blood shedding of many bloody battailes, is this loue, ys this the loue that should be in your maiestie to your people. Art thou a king (saith Seneca) and hast no time to be a king the which is as much to say as Bishopp Tunstall did interprett yt in his oration before your noble fater. Art thou a king and dost nothing profitable for thy people. Art thou a king and seest thy people to haue vnsufficient law. Art thou a king and wilt not prouide a remedy for the mischeife of thy people. O England England how great ar thy sines towards thy mercifull god, that he hath so alienated the harte of her that he hath sett ouer thee to be thy nource, that she should withold nourishing milk from thee, and force thee to

¹ Add. MS. 24664, fo. 44 b.

drinke thyne one distruction. . . . Thes vngodly and vnnaturall euills they cannot thinke or iudg to be in your maiestie as of your self and of your owne nature, but that your maiestie is drawn vnto it by some wicked charming spirit of traiterous persuation, or that your maiestie is ouercome by some feminine conceipt. . . . They say, that they dare not depart the house without making knowne vnto your maiestie that when the knightes and burgesses of this house be retourned home into their seuerall countries the question wilbe demaunded of them of the sodaine breaking vpp of the parliament. . . . [And when they explain the reason will it not] plainly shew in your maiestie a want of loue, and a carelesse regard vnto the state, will not this be perill to your person, will not this giue iust cause to coole or vtterly to alienate the mindes of the people from your maiestie, who (in reason) loue you : as they be beloued : let wise heades gesse, and faythfull tounge vtter their hartes plainly. . . . They assure your maiestie [and here Wentworth is clearly making a personal confession] that they haue ben soundry times moued to deale in this matter by sondry people as gentlemen, preachers and countrye men : with some acquainted with some neuer seene before. But foolish feare so ouercame them that they durst not deale in it. Foolish feare (they say) because they feared your maiesties displeasure more then they right feared, wayed or considered, your maiesties great and imminent daunger of god his high indignation. . . . And they praise their god from the botome of their hartes, that he hath made them now so strong to deale therin : and they beseech the same good god to make them all as earnest with your maiestie, as the matter is earnest, for it importeth more (they say) then all ther heads ; and ten thouzand more be worth and therfore they ar not much to account of your maiesties present displeasure espetially sithence the sequell must needes bee, that nothing can or will please your maiestie so much as this their faythfull dealing with your maiestie for when your maiestie shall tourne vnto god with a broken harte and see your one daunger through your slacknes want of loue and dutifull consideration to god and your people. . . . O what comfort of conseyence, what quietnes of mind and assurance of your person shall your maiestie be then in. . .

After referring to the rumour of the queen's displeasure with the speech last used in the house, this being obviously the speech with which Wentworth intended to have opened the campaign, the message comments upon David's reference to a prince as a god, but adds,

[They think it good to remind your majesty] of the wordes of the heathen and noble Emperor, Tyberius, vnto Maritus his successor, Nature hath giuen vnto bees (said he) rulors or heades and hath armed their king with a sting, as with a naturall rodd of power to thend that he may sting those that do not yeld vnto him their dutifull obedience : but this Master bee may not use his sting like vnto a tyrant. But wher it is deserued, and to a common benefitt and commoditie. . . .¹

Wentworth was still in the Tower when in 1594 Doleman's

¹ Harleian MS. 1877, fos. 37 b-39.

tract on the succession was published; and with his usual temerity he acceded to the request of some friends and replied to it.¹ His reply was published along with the *Pithie Exhortation* after his death, as *A Discourse containing the Authors opinion of the true and lawfull successor to her Maiestie*,² and took the form of a letter to one of his friends maintaining the right of James of Scotland. In writing it Wentworth made himself liable under the act of 13 Elizabeth, cap. 1, to a year's imprisonment and forfeiture of half his goods; and his rashness was justified only by the importance of the pamphlet which he was refuting. It was in fact a departure from the policy which he had hitherto followed. Both in 1591 and in 1592/3 the privy councillors who examined him had tried to convict him of plotting on behalf of some particular candidate for the throne; but in vain.³ He had denied the charge, and all the evidence that we possess justifies his denial. Nevertheless, it does not follow that he was not privately a partisan. As a puritan he probably hoped for the succession of the earl of Hertford's children or the earl of Huntingdon, whilst Mary lived; but her death cleared the way for that change of opinion to which he himself confessed. His friends, the editors of the *Pithie Exhortation*, imply that Wentworth already thought James the rightful heir when he wrote that pamphlet.⁴ One cannot be sure. But it can hardly be doubted that such was his conviction in 1591-2 when he composed the brief tract showing that the king of Scots would not object to the settlement of the succession. At any rate, his conversion was complete by 1594. It follows, therefore, that Sir Charles Dilke was wrong when in the *Dictionary of National Biography* he suggested that Elizabeth was embittered against Wentworth during his final imprisonment because he supported the Hertford claim. His authority is a letter of November 1595 in Strype's *Annals*⁵ concerning an alleged plot by Sir Michael Blount, lieutenant of the Tower. Strype's mispunctuation obscures the meaning of the letter, and so I quote the passage here from the original manuscript, my punctuation being enclosed in square brackets.⁶

[Blount's] speche to me touchinge the Earle of Hertforde was, that M^r Wenteworthe his standinge for to haue a successour established was onelye in the fauor of his Lo: children wherof when I spoke vnto M^r Wenteworthe he answered he dothe me wronge for he himselfe is of that faction which he hathe playnelye discouered vnto me (saith he) and shewde me reasons to strengthen his opynyon[.] for his speache to M^{rs} Wenteworthe,

¹ *A Pithie Exhortation* . . . (1598), pref.

² On the separate title-page of the *Discourse* the title is differently worded.

³ Cf. p. 1 of the *Discourse*; Harleian MS. 6846, fo. 68.

⁴ *A Pithie Exhortation*, p. 37, marginal comment.

⁵ iv. 334-5.

⁶ Lansdowne MS. 79, fo. 10.

that if the gentlemen of Englande wer honest, ther woulde be fwe hundred in prison for her husbandes opinyon, ere it wer longe[,] bothe M^r Wentworthe and his wife doe affirme it and haue done before captaine Wanema and my selfe. . . .

The political theories which Wentworth was compelled to expound in answering Doleman's tract make his *Discourse* an interesting pamphlet. Doleman had ridiculed the idea that the succession of princes by nearness of blood was determined by divine or natural law. In every commonwealth, he wrote, human and positive law regulates the succession. Therefore for just cause the commonwealth may alter it. And so alongside birth he placed election, and utterly repudiated the doctrine of divine hereditary right. Wentworth directs his reply to the implied argument of Doleman that parliament can take away the king of Scots' right to the English throne; and in consequence is led to define the power of parliament. 'It is', he writes, 'most sacred, most ample and large and hath prerogatives and preheminences farre aboue anie Court whatsoever, which is established by God under the heauens.' Yet its power is not unlimited. It 'is straightlie stinted and defined with the limites and meeres of iustice and equitie: and is appointed by God, as the power next to himself to reforme and redresse wrongs and outrages which can not be holpen by any other means, and by good and wholesome lawes to procure the peace and wealth of the Realme'. Parliament is 'the Court of most pure and exquisite iudgement'. If by presumption of its power it do injury to any man or transgress the bounds of right, this transgression 'is accounted of before God', and the iniquity is the iniquity of the whole land.

He then proceeds to expound the doctrine of divine hereditary right. The right, however, is conditional. 'A Prince which hath the right (as we speake) of God, he is the ordinance, not of anie man, but of God, appointed and substituted by God himselfe, as his deputy for the maintenance of his truth, and to minister Iustice according to the good and wholesome lawes of that land ouer which he doeth place him.' Therefore if the king of Scots, having the right of God, 'be willing to gouerne vs according to our owne lawes (as no question he will)', it were the highest injustice to deprive him of his 'right anointed'. To this, he states, some have answered that parliament 'hath taken the rightfull lands and liuings of men, and hath repealed the acts and statutes of former Parliaments'. For his own part, he is prepared to admit that as a limb may wisely and rightly be amputated from a natural body when without such remedy the rest may be endangered, so in the body politic any subject may be deprived of lands, livings, or life. But he hastens to escape

from the full implications of the argument. First there is no danger from the king of Scots, for he will preserve 'our religion and lawes'; then although the power is undoubted over subjects, yet the king of Scots is not a member incorporated of our body politic, and it is doubtful if it holds against him. Moreover, such acts of parliament must be understood as concerning private men and not princes; and whatsoever has been given to princes and their heirs by a free and lawful parliament has not, he thinks, been taken away by another free parliament save with the consent of those princes or their heirs.

This leads him to conceive of the institution of kingship as an act of contract; but the devolution of power is conditional.

If all the people . . . by common and voluntarie consent, for themselves and their posteritie, do transferre and surrender the gouernment of themselves and their state into the hands of some chosen man, to bee gouerned by him and his heires for euer, according to such and such lawes, as they shall agree vppon, or haue already established,

then 'if he be willing to preserue their lawes', that power which they formerly surrendered cannot still rest with them. The judgement of parliament itself, he argues, proves his case. For in the coronation of a king it is not claimed that it seemed good to the nobles and commons so to advance him: on the contrary the reason given is that he is next heir to a certain prince. And making a point from historical experience, he asserts that in the conceit of the usurpers themselves, amongst whom he instances Henry IV and Richard III, 'the moste lying, infamous and falsely forged pretence of next and most lawful blood is to be preferred before any Parliament'.

It may seem strange that the most radical parliamentarian of his age should be refuting a pamphlet that exalted parliament's powers. But Wentworth's pamphlet is a *livre de circonstance*, not a systematically developed political philosophy. His theory of divine hereditary right, tempered as it is by a half-veiled right of deprivation, inevitable to a puritan who could not possibly contemplate the accession of a papist, is as frankly utilitarian as Doleman's theory of popular rights; and the shrewd blow which he aims at Doleman recoils upon himself when he writes, 'I pray you thinke with your self if it should fall out that the Parliament . . . should bestow the crown quite contrary to the expectation of these men, who stand so precisely for the absolute power and soueraignetie of it . . . do not you think that the case would be altered with them?'

Wentworth was in the Tower when he wrote his *Discourse*, and there he remained for nearly five years. It was an inordinate punishment and in marked contrast with the lenity shown

towards Sir Henry Bromley, who was released after only seven or eight weeks' restraint.¹ In part it was his own choice. He refused to purchase liberty at the price of confessing his fault and of renouncing all desire to hasten a settlement of the succession. This we can see very clearly in three letters of his to the council, for although he wrote petitioning for release, he yet maintained an unbending attitude.² The first was written on 7 November 1593 and contained a review of his actions and an earnest justification of them.

My very good Lords [he wrote] I doe perceauce that no submission wilbee accepted vnless I acknowledg my selfe to commit a faulte. . . . I protest before god yf her highnes would make mee a duke and giue mee twenty thousand pounds a yeare of her best land to haue my consent to forbear the setling of the succession for the space of one quarter of a yeare longer then it might conuenientlye bee effected . . . I would denye and defye that honnour and inheritaince as bastardly poysonfull and mysbegotten.

The boast was not lightly uttered : rather it was the considered judgement of an old and sickly man after nine months' confinement in a city, plague-stricken in summer ; and Wentworth well knew that its probable effect would be to prolong his imprisonment. 'Such sutes', wrote Cecil of Arundel's, in 1584, 'are heard slowly, because he doth not knowledg himself a fawltor' :³ and for Wentworth death was speedier than the passing of the queen's wrath.

At no time was he so indomitable in spirit as in these last years of imprisonment and broken health. 'The case is very hard with us poore parlament men', he once said, summing up the tragedy of his own life, 'when we deserue to hang in hell (by the iustice of god) if we neglect his seruice or the seruice of our prince or state . . . and may neither serue god or prince or state truely nor faithfully . . . but ar sure of displeasure and punishment therefore.'⁴ The queen, as Burghley remarked, was determined that the question of the succession should be suppressed as long as ever she lived : inevitably the suppression of Wentworth followed. In a second letter to the council, written on 10 August 1595, and in a third, written a month later, he was still resolute. No doubt when his name recurred in connexion with the succession, in November 1595, in the stories told of the plotting of Sir Michael Blount, lieutenant of the Tower,⁵ the queen's heart hardened towards him, and it did again in

¹ Baker MSS. xl. 131.

² Add. MS. 24664, fos. 43 f.

³ Wright, *Queen Elizabeth and Her Times*, i. 180. Also cf. *Halfield MSS.* xiv. 69.

⁴ Harleian MS. 1877, fo. 56 b.

⁵ *Supra*, p. 198.

July 1596 when it was found that he still had copies of his *Pithie Exhortation* about him.¹ But if we may judge from his letters to the council, it is likely that at any time after November 1593 he could have had his liberty, only the price demanded of him was too high. At last in July 1597 arrangements were actually afoot to free him, on conditions that closely regulated his movements. But not yet was his spirit broken, and in the last glimpse of him that we are afforded we find him demanding to see the conditions of his release, for otherwise he cannot with honesty entreat any sureties to enter into the bonds.² Whether he refused the terms when all was ready, or whether his 'oftener than weekly sicknes' took a critical turn that forbade his removal, we do not know. Little more than three months later he was dead, a prisoner. He was then over seventy-three years old.

To appraise Wentworth's career at all adequately would plunge us into a long argument upon the history of freedom of speech in parliament. We must, therefore, begin with a conclusion for which justification will be offered elsewhere,³ namely, that the construction which Wentworth put upon the privilege of free speech was without historical warrant. Despite his own and later beliefs he was aiming not at renovation but at innovation. From the point of view of parliamentary liberties, the importance of Elizabeth's reign was that it began with free speech a vague and narrow privilege, and closed with two widely divergent interpretations of it. On the one hand was the Crown's, sound in its conservatism, on the other Wentworth's, highly novel, reaching out towards the fact, if not towards the theory, of parliamentary sovereignty.

Wentworth was no mere theorist, for though he dressed his claims in theories they subserved practical aims. He appears to have grasped more clearly than the fellow agitators of his day that reform of the church and even the settlement of the succession, which were the ultimate objects of his and of their endeavours, were dependent upon the solution of a profounder problem, and that if only freedom of speech as he conceived it were secured, then all else might follow. He did not justify himself so much by an appeal to precedents, as the gathering flood of antiquarian research enabled his Stuart successors to do. To him parliament was the organ of the commonwealth where all grievances might be expressed, the highest council of the realm whose business was to offer advice upon all matters. By its nature a plenitude of freedom was due to it, for otherwise

¹ *Hist. MSS. Com.*, *Hatfield MSS.*, vi. 284, 288, 289.

² *Ibid.* vii. 286, 303, 324.

³ See my essay, 'The Commons' Privilege of Free Speech in Parliament', in *Tudor Studies*, ed. by R. W. Seton-Watson, now in the press.

counsel would be hindered and God, the prince, and the commonwealth betrayed and endangered. The crucial question of the Crown's right to withhold any subject from discussion he solved by reposing the obligation to give counsel upon a councillor's duty to God, and he tried to set his far-reaching notions of free speech beyond legitimate challenge by incorporating them in the fundamental laws of society. Without this privilege the preservation of prince and realm could not be assured : hence it existed by virtue of a law superior to the Crown.

Whilst not depreciating the ultimate value of such thoroughgoing descriptions of freedom as Wentworth's, we should beware of giving his mind too modern a cast or thinking it too logical. If pressed, he would in all likelihood, as a matter of constitutional theory, have admitted the Crown's contention for a division of power, for distinct spheres of action in which the Crown by its prerogative might alone determine certain things, and the Crown in parliament others. But a written constitution was then an unknown aid to divided sovereignty, and facts and the passions of the time, as Wentworth felt them, were against nice constitutional distinctions. Turning a blind eye to these, he came very near, if he did not come completely, to asserting that the will of the nation in all matters should express itself in parliament, unrestrained except by the royal veto. From this position to a practical extinction of the veto and to parliamentary sovereignty was but an easy journey, which time and a quickening national opinion would inevitably take, and were indeed taking under Elizabeth. If few in his days went so far as he in their conception of free speech, yet in minor matters of privilege all displayed a jealousy that wasted hours of time in comparatively short and congested sessions ; and it was no accident that the first standing committee for privileges was established in Elizabeth's reign.

If Wentworth fanned the flame of liberty with such success, in the mechanism of politics his achievements were no less great. His experiments in party organization are the most significant revelations of our new sources. They carry us back to the Elizabethan age for origins we have hitherto sought under the Stuarts. Indeed, we must go back earlier. Interchange of ideas and co-operation among members of the lower house were no doubt old practices. Under Henry VIII we find members discussing parliamentary business—to their imminent danger—over dinner at an inn.¹ In 1555 there was some arrangement amongst a group which secured the rejection of the bill to recall absentees ;² and perhaps the able manœuvres in the

¹ State Papers, Henry VIII, cxxv, fo. 248 (*Letters and Papers*, xii. ii, no. 952).

² Peck, *Desiderata Curiosa*, i. 9 ; Dasent, *Acts of Privy Council*, v. 202–8.

parliament of 1566 were successfully executed because a few members had agreed to work together. Moreover, in Elizabeth's reign the radical section of the commons took to sitting at one end of the house, which must have given physical solidarity to their group, and, since courage consorts with numbers, must have made considerable difference to the voting upon measures that privy councillors, courtiers, and staid lawyers condemned; for fear, as the bitter complaints of Wentworth show, too easily overcame men's consciences.

But if already there was this feeling after party organization, greater deliberateness was needed for its consummation; and it was just that quality that Wentworth possessed. He was gifted with courage and pertinacity; for years he would brood upon his parliamentary programme; and at home, where he was respected as a leader of the puritans, he used his leisure to propagate his political doctrines. The immediate stimulus to party organization probably came from the 'classical' movement amongst puritan ministers.¹ To it was due the parliamentary agitation of 1584/5, and an extension of its methods to the puritan section in parliament was carried out in 1586/7, if not earlier, when Cope and Wentworth and three other members planned to carry through a reform of the church. Of this group Wentworth was probably not the leader, but in 1592/3 he confirmed the experiment by repeating it, and went further, so it seems, by conducting an election campaign to ensure support in the house. His conference at Lincoln's Inn was not a complete success, it is true; although there may have been ramifications to his plans of which we are ignorant. Says the anonymous journalist of that session, 'few met at the place appointed, at least not such as were expected';² and he is probably right. But the conspiracy was nipped in the bud, and the group might have become formidable but for the intervention of the government. Inevitably it must have remained small in numbers. Matters of state might be discussed in the house of commons by presuming upon the queen's reluctance to punish offenders: nothing could shield members who discussed them out of parliament. Elizabeth was wise to swoop down upon Wentworth. One imagines that there was a large section of the house which would have voted for the settlement of the succession:³ a few only were needed, strong in the consciousness of mutual support, to open the campaign and mass the sentiment of the house behind them.

¹ For an account of this movement, see Usher, *Presbyterian Movement* (Camden Soc.).

² D'Ewes, pp. 470-1.

³ Cf. Sir Michael Blount's supposed remarks, quoted *supra*, p. 199.

And yet Wentworth was not a great parliamentarian. His language was often immoderate, his outlook unbalanced, his temper unaccommodating. He was too set upon certain objects. The frequency with which a member in the Elizabethan house of commons was placed upon committees is some indication of his interests and his prestige. Of this William Fleetwood is a good example. In his later life he was the Nestor of parliament. He could always win the ear of the house, and it appreciated his jokes and reminiscences even when they were not to the point. He and men like Dalton served on innumerable committees, and even Cope and Strickland were appointed to many. With Wentworth it was different. Our sources are deficient, but they record only three committees upon which he served. In a sheet of alliterative bombast called 'A Rayling libell against those of the parliament house', a member described Paul Wentworth as Wentworth 'the wrangler';¹ and perhaps many in the house, certainly the more sober, regarded Peter in the same light. He was a man, wrote Sir John Harington, 'of a whett and vehement spirit'.²

To Wentworth himself his career must have appeared a failure. The church remained unreformed, the succession unsettled, his conception of free speech unrealized. That his mantle had fallen upon the group he had gathered about him,³ that parliamentary tradition had put on immortality as country gentlemen and lawyers made membership the hobby of a lifetime, and that his own experience and experiments were in consequence not lost, this he could not have known. The splendour of his ideal and the passion that had urged him forward as a pioneer left him blind to his achievements; and in those last years of imprisonment, the future, hidden from him, had no solace to offer but an epitaph.⁴

J. E. NEALE.

¹ Brit. Mus. Stowe MS. 354, fo. 18.

² *A Tract on the Succession to the Crown* (1602), ed. by C. R. Markham (1880), p. 33.

³ In 1598 his disciples published his succession tracts, the privy council in 1600/1 taking steps to suppress an edition printed at Middelburg in the Netherlands (Daseant, xxxi. 216). Under James I his son Thomas emulated him in parliament (cf. account in *Dict. of Nat. Biog.*). In 1614 Black Oliver St. John suffered fine and imprisonment for opposing a benevolence (cf. *ibid.* orig. ed. l. 150 b, and authorities cited there). In the Stuart struggle the St. Johns of Bedfordshire were found on the popular side.

⁴ That this was his feeling on the eve of his death appears from a poem he wrote, entitled, 'The Causes of my Longe Imprisonmente', which survives amongst the manuscripts of H. G. Gurney, Esq., at Keswick Hall, Norfolk (cf. *Hist. MSS. Com.*, Rep. xii, app. ix, p. 143). The verse is such hopeless doggerel that I refrain from quotations, but I wish to thank Mr. Gurney for permission to use the poem, and Mr. Wallace Notestein for securing me a transcript of it.

*The Beginnings of Calico-Printing in England*¹

TOWARDS the middle of the seventeenth century there was a rapid change in the fashions of men's and women's clothes in England. The good old broadcloth, 'the glory of England', had already been long discarded; even the finer fabrics of the new drapery were fast going out of fashion. The upper classes—and indeed the people generally—wanted light and elegant clothing. English weavers could not meet this sudden demand, and naturally foreign stuffs came to be sought. First France and then India stepped in to supply the need. Just as French wine became a 'modish drink' in England at this time, French silks and light linens were bought and used in large quantities. Charles II, ardent admirer of everything French, encouraged the new fashions and patronized this new trade. But the nationalist party appealed to the country, and parliament, already alarmed at French 'popery and wooden shoes', completely prohibited in 1678 the importation of the French stuffs—a reply to Colbert's arrêt of 1667 forbidding the importation of English cloth into France.

This gave India the opportunity. The East India Company about this time rapidly increased its 'investments', and England was flooded with the silks and calicoes, the muslins and chintzes of India. These commodities were of better quality than the French stuffs they replaced, for India in those days specialized in the best kinds of cotton cloth. Besides, these Indian goods were incredibly cheap because of the low wages obtaining in that country. Elegance was thus combined with cheapness; and little more is needed to make a commodity popular. The result was eloquently described in contemporary pamphlet literature. 'On a sudden', says a writer,² 'we saw all our women, rich and poor, cloath'd in Callico, printed and painted, the gayer

¹ The principal sources utilized for this paper are the board of trade papers preserved in the Public Record Office, and contemporary pamphlets in the Goldsmiths' Library and the Bodleian.

² *A Brief Deduction of the Original Progress and Immense Increase of Woollen Manufacture* (1727), p. 50.

and the more tawdry the better.' At first only the poorer people used them, 'those who could not go to the price of linen and yet were willing to imitate the rich.' But very soon these gaudy eastern stuffs came to be used by the higher classes as well, 'from the greatest gallants to the meanest cookmaids',¹ so that according to a satirical writer it became difficult for the better folk 'to know their wives from their chambermaids'. Another writer could not understand how these 'ordinary mean and low-priced' stuffs could be used by 'the gayest ladies on the greatest occasions'. Queen Mary herself, the leader of fashion in her day, is said to have used them publicly. According to Defoe,² 'Her Majesty had a fine apartment (at Hampton Court) with a set of lodgings . . . most exquisitely furnished, particularly a fine chintz bed.'

At first the Indian goods had been used only for beds, screens, hangings, and other furniture, but later they were 'promoted' to the bodies of men and women. As Defoe satirically puts it, 'the chintz was advanced from lying upon their floors to their backs, from their footcloth to the petticoat'.³ Thus, men came to use shirts, neckcloths, cuffs, and pocket-handkerchiefs made of Indian calico, and this was even called popularly by its Tamil name, *Rumāl*. Women used Indian stuffs for head-dresses, hoods, sleeves, aprons, gowns, and petticoats. As for children's frocks, they came to be made of printed and striped Indian calicoes instead of the green says of old. Most people used Indian socks and stockings, and their dressing-gowns were made of calico. The invasion of these foreign stuffs can be traced even in the paintings and pottery of the period.⁴

The enormous extent and rapidity of the change incited many patriotic writers to attack the new-fangled fashions. The womenfolk were assailed in the press and in pamphlets for their 'passion for their fashions'. 'Their great-grandmothers who for ornament and dress painted their own bodies would be astonished at the Calico-picts, their degenerate children, and fly from their own offspring.'⁵ 'Lite commodities', another writer said, 'are always encouraged by lite women; *similis simili gaudet*.'⁶ Women dressed in calico and muslin were 'more like the Merry Andrews of Bartholomew Fair than like the

¹ Cary, *Concerning East India Trade* (1697).

² Quoted in Lenygon, *Decoration in England, 1660-1770*, p. 215.

³ *Weekly Review*, 31 January 1708.

⁴ Birdwood, *The Arts of India as illustrated by the Prince of Wales's Collection*, p. 80.

⁵ Steele (?), *The Spinster in Defence of Woollen Manufactures* (1719), p. 16.

⁶ *The Interest of England considered* (1707).

ladies and wives of a trading people'.¹ The witty 'Prince Butler' rhymed thus 'o'er a pot of ale':

Our Ladyes all were set a gadding
After these toys they ran a madding,
And nothing then would please their fancjes
Nor dolls, nor Joans nor wanton Nancies
Unless it was of Indian making.²

The calicoes and other stuffs were 'as light as women and as slight as cobwebs', 'printed tandrums and the gewgaws of East Indies,' which came upon the country as 'a plague'.

The woollen and silk manufacturers of England were alarmed at the growing unpopularity of their own commodities, and moved by their appeal parliament repeatedly discouraged and prohibited the importation of calicoes and chintzes into England.³ But this legislation proved very ineffective. People could not be made to return to their old fashions. There was a real demand for lighter and more elegant clothing, and this had to be met somehow. If they could not come from abroad they must be made at home. And this did in fact happen. 'No sooner were the East India chintzes and painted calicoes prohibited from abroad but some of Britain's unnatural children . . . set their arts to mimick the more ingenious Indians and to legitimate grievances by making it a manufacture.'⁴ Thus there arose a new industry of calico-printing in England, and although this was not the progenitor of the now powerful calico-printing business of Lancashire, its history is important in many ways to the student of industrial origins. The subject is, however, little known. The following account is necessarily meagre owing to the scantiness of the sources available.

It is now really difficult for us to realize that even so late as 1750 very little cotton cloth was made in England. Indeed, we read of 'cottons' even in the sixteenth century, but those were a species of woollen cloth. In the seventeenth century, however, we have definite records mentioning the manufacture of cloth from cotton-wool imported from the Levant; but this again was not genuine cotton cloth; it was the hybrid 'fustians', made of linen warp and cotton weft.⁵ English artisans had not yet succeeded in making cotton yarn strong enough to serve for warp. Successive attempts were made towards the

¹ *A Brief State of the Question* (1720), p. 11.

² *Prince Butler's Tale*, 1699.

³ 11 & 12 Will. and Mary, c. 10. For an account of this struggle see S. A. Khan, *East India Trade in the Seventeenth Century*, ch. iv. Also the present writer's forthcoming work, *The Influence of Indian Calico Trade on England* (1680-1730).

⁴ *The Just Complaints of the Poor Weavers truly represented* (1719), attributed to Defoe.

⁵ See Daniels, *Cotton Industry*, ch. I.

latter part of the century to make pure calico in England, and some weavers succeeded in their attempt, but no real calico industry existed or could exist in England before the inventions of Hargreaves and Arkwright. However, if they could not make genuine calicoes, the English artisans could at least print cotton cloth imported from India, and this they did long before the English cotton industry was started. Calico-printing, therefore, is curiously enough an elder sister of the cotton industry in this country, and it flourished in the south of England long before Lancashire took to calico-making and printing.

The author of the pamphlet, *The Just Complaints of the Poor Weavers truly represented*, in the passage quoted above, assumes that calico-printing was introduced into England only after the prohibition of Indian goods, which took place in 1700. But we know from other sources that there existed calico-printing mills in England before that date. According to the 'judicious' Anderson printing in England began in 1676; and this is confirmed by a patent given to one William Sherwin in that year 'for the invention of a new and speedy way for printing broadcloth, which being the old true way of East India printing and stayning such kinds of goods'. The same person¹ appeared before the house of lords in 1696 and claimed that he printed calicoes and even woollen cloth, but he admitted that they would not bear washing. Evidently he must have used pigments as the French printers had done, and the madder and resist process of India was not yet known in England.

In 1690 a Frenchman, René Grillet, took a patent for painting and printing calicoes, and a factory for this purpose was opened by him in the Old Deer Park at Richmond, hardly fifty yards from the Thames. This was the first calico-printing factory in England. Baines² surmises (and other writers follow him) that the owner of this establishment was a Huguenot refugee, but from the subsequent mention in various pamphlets and board of trade papers that calico-printing was done by Roman catholic Frenchmen, it is more likely that the Frenchman in question was a catholic, and that his trade (rather than his religion) compelled him to leave France soon after the arrêt of 1686 prohibiting calico-printing in France.³ We know that he was for some time in Holland before he came over to England, and it is likely that he perfected his art there under the care of the

¹ *House of Lords' Papers*, New Series, ii, section 1050.

² *History of Cotton Manufacture in England* (1845), p. 259. Also Cunningham, *Growth of English Industry and Commerce* (Modern Times), p. 517.

³ Public Record Office, C.O. 389, p. 309 (Commissioners' Report). See also the pamphlet, *The Weavers True Case* (1719), p. 23.

skilled Dutch master-printers. A great number of men and women were employed by him in this factory, and they were 'a saucy and independent lot' according to local accounts,¹ and were mostly Frenchmen and by religion catholics. They were apparently hated on both accounts, and perhaps it was this that made parliament lukewarm in its defence of this industry.

Soon another factory rose at Bromley Hall in Essex. A grant was made to Francis Pousset in 1694 for a new way of preparing crape in flowers, rames, &c. The factory of Bromley Hall stood as number 1 in the Excise Books when the first duty was imposed on calico-printing (1712), and certainly it must have been the most prominent printing concern of the time. Other factories were soon founded at Lewisham, Mitcham, Wandsworth, and other places south of London, mainly in Surrey.

These factories were engaged in working up the imported calicoes for the English market by dyeing, printing, painting, staining, and other processes. The East India Company² imported both plain calicoes and printed ones (called chintzes), but owing to the perceptible difference in price between the two varieties they subsequently came to increase their outlay on plain calicoes. Besides, they thought they could pacify the popular outcry against their trade by supplying work to people in England as a compensation for the bullion they exported. However, in printing these calicoes, English artisans had to depend upon Indian methods. In India from time immemorial a remarkably perfect method of printing was known and employed. This method was first explained to Europe in 1742 by a learned French missionary, Père Courdoux³ (who, by the way, deserves to be better known as the first to suggest the hypothesis of an original Indo-European race). The Dutch were the first to introduce these Indian processes into Europe. From them the French and the English obtained the secret. The first great French calico-printers,⁴ Daniel Vasserot and his nephew Antoine Fazy, learned the art from Holland; when this industry was prohibited in France they practised it in Geneva outside French territory.

In the early English printing factories wooden blocks were used for printing, blocks of sycamore about five to ten inches square. The method of printing followed was an adaptation of the Indian madder and resist process, which is first mentioned in the grant of 1694. Later, copper plates came to be used in place of wood. These early methods are exhibited in the Victoria and

¹ Crisp, *Richmond and its Inhabitants* (1866) p. 115.

² Letter Books, vol. viii, fo. 570. Also vol. x, *passim*.

³ *Recueil des Lettres Édifiantes et Curieuses*, vol. xxvi.

⁴ *Nos Anciens et leurs Œuvres* (1906), pp. 103-18.

Albert Museum at South Kensington. The special process called Turkish red, introduced into France by an Armenian, was made of the Indian Châya root and Kāsha leaves. It baffled chemists for a long time until it was cleared up, quite recently (in 1902), by a calico-printer at Leyden, Felix Dreissen, who got the secret from a native dyer in Madura (south India).¹

The calicoes printed in England in this way were technically known as *Londrindiana*. In France they were popularly called *Indienne*. They were sold on the pretence that they were made in India. Such an assurance was the only means of satisfying customers that the quality was good.

From extant records² we may form an idea of the employees in a calico-printing factory in those days. The principal workmen were drawers, cutters, printers, job-printers, grounders, tearers, and fieldmen. The drawers invented patterns, of course copied them from Indian chintzes, for the designs on the English-printed calicoes were almost the same as those that came from Masulipatam. The tree of life, the peacocks, the snakes, the bamboos, all were taken over bodily from Indian chintzes. The cutters engraved those designs on wood for the use of the printers. Printers made the first impressions of any colour on calicoes. Job-printers renewed and reprinted old calicoes and linen; their work is said to have given 'great encouragement to servants to rob their masters or mistresses, for by getting it printed alters it so much as cannot be known'. Grounders, mostly women, put finishing colours. The tearers were boys and girls who attended the printers when at work. Fieldmen whitened the calicoes and were not different from ordinary unskilled day-labourers. Only the first three classes had any kind of training; and even they were not trained exclusively in any special process. All these employees worked only eight or ten months in the year.

From the controversy on the use of Indian textiles, in 1696-7, we get a glimpse of the condition of this industry at that time. There was then pending before parliament a bill for prohibiting entirely the importation of printed calicoes into Great Britain.³ The calico-printers were naturally alarmed, and many of them petitioned parliament, praying for the deletion of the clause that went against their interests.⁴ They were apparently a numerous and influential set of people. They employed three counsel to plead their case before the house. Jekyll, one of them, claimed that 'calico-printing was as much a manufacture as any woollen' and deserved encouragement. Pooley used Davenant's arguments that the cheapness of calico made it suitable for home

¹ Baker, *Calico Printing and Painting in the East Indies*, p. 43.

² C.O. 388, vol. xxi, fo. 223.

³ *Commons' Journals*, vol. xi, *passim*.

⁴ *House of Lords' Papers*, New Series, vol. ii, section 1050.

consumption and profitable to the kingdom. The calico printers seem to have spent a good deal to further their cause.¹ One of them confessed before the house subsequently that he spent £200 in fees to solicitors and others. Some of the bold ones among them appeared before the house and stoutly opposed the bill. William Sherwin said that the trade employed four hundred people.²

The bill of 1696 was lost on account of the opposition of the upper house, and next year a similar bill also miscarried owing perhaps to the machinations of the East India Company, which was then dominated by that inveterate intriguer, Sir Josiah Child. After the death of Child in 1699, a similar prohibition bill was successfully carried through parliament. This was the first legislative enactment in England against Indian imports. But, fortunately for the calico-printers, the clause that included English-printed calicoes in the operation of the bill was dropped. The printers rejoiced, because instead of ruining them, as was formerly expected, the new legislation provided for 'their plentiful increase'.

After 1700 the printing industry flourished more than ever.³ The woollen and silk manufacturers, for whose sake the act of 1700 was passed, soon realized that their victory was of a very doubtful value. According to John Haynes (1706), 'greater quantities of calicoes had been printed and worn in England annually since the importing of it was prohibited than ever was brought from India'.⁴ The rapid growth of this industry is evident also from the greatly increased imports of plain calicoes from India, which may be studied in the dispatches of the East India Company's directors.⁵ The act of 1700 did not put a tariff on plain calicoes imported, but in 1703 parliament, in order to please woollen manufacturers, imposed an *ad valorem* duty of 15 per cent. on them. However, a full drawback was allowed on re-exportation. We do not know exactly how it affected the new industry. A contemporary writer, Chalmers, pointed out that the duty must have been rather light considering the fact that the prime cost of calicoes was only a fraction of the value which they would fetch when printed.⁶ But we know that in 1711 the printers complained that the duty had reduced their industry to a third of its previous strength.⁷

The woollen and silk manufacturers looked upon their younger rival with a jealous eye, and were determined to suppress it at

¹ *Commons' Journals*, xi. 683.

² *House of Lords' Papers*, New Series, ii. 241.

³ Espinasse, *Lancashire Worthies*, p. 297.

⁴ *View of the Present State of the Clothing Trade* (1706), p. 19.

⁵ Letter Books, vols. xi, xii, and xiii.

⁶ C.O. 390.

⁷ Bromley Papers (Bodleian), vol. ii, fos. 113, 134.

any cost. Wool always claimed to be the staple manufacture of England. And, as Adam Smith points out, the woollen workers were 'more successful than any other class of workmen in persuading the legislature that the prosperity of the nation depends upon the extension of their particular business'. As yet the merchants and manufacturers had not a great many representatives in parliament; the squirearchy still controlled the destinies of the nation. But the simple country gentlemen who sat in parliament were, according to the same writer, 'often prevailed upon by the clamours and sophistry' of the industrial classes. Besides, rightly or wrongly, they thought that their interests were eventually the same. Whatever affected the woollen industry, they thought, would ultimately affect the rent of their lands. It was thus that parliament in those days took the side of wool against minor and younger industries.

The weavers clamoured against calico-printing, and parliament imposed an excise duty of threepence a square yard on calicoes.¹ Calicoes printed in one colour only were however exempted from the tax. Two years later the excise duty was raised to sixpence a square yard. The calico-printers protested, and pointed out that the additional burdens (which in all amounted, according to them, to 82 per cent. *ad valorem*)² would not only ruin their trade but encourage the smuggling of Dutch printed calicoes, which were cheaper by one-half owing to the favourable treatment accorded to the industry in Holland. But parliament did not relent. Colbertism was then its confirmed creed, and so it remained for another century.

In spite of this stepmotherly policy of government, the infant industry grew up in vigour and importance. In 1711 the directors of the East India Company wrote to India: 'Our people here do it [i.e. printing] at one-half the price and better colours and patterns.' There arose an increasing demand for these goods in the colonies and elsewhere, and the industry expanded to meet the demand. In 1719³ there were a good many factories in the counties of London, Surrey, Kent, and Essex. The chief proprietors were Mauvillon, Watson, Haultain, Madame Bull, Quard, and Gouyne. Mauvillon was a prominent calico-printer even in 1697, when he appeared before the house of commons to give evidence on the calico bill. In 1719 he had one factory at Mitcham and another at Wandsworth. Mr. Watson had three, situated respectively at 'Morrisess Cassau', Bunhill Fields, and Wandsworth. Most of the establishments were either on the banks of the Thames or on those of its tributary, the Wandle.

Like other industries introduced by foreigners in that period,

¹ 10 Anne, c. 19.

² Bromley Papers, vol. iv, fo. 29.

³ C.O. 389, vol. xxvii, fo. 223.

calico-printing was organized on a capitalist basis. It had no guild traditions to keep up ; nor was it possible for it to become a domestic industry like the woollen. The various processes had to be carried on in combination, and artisans had to work at some common place in order to co-operate effectively. Besides, the employers were calculating capitalists seeking a profitable investment for their money. As Dr. Cunningham¹ points out, capital is bound to be an important factor in the transferring of a trade to a new area. All these circumstances combined to make calico-printing a factory industry of the modern type, and perhaps it was in this industry that the factory system first became normal in England.

The factories were mostly well-equipped and were located within convenient reach of water. In 1720 the printers stated before the commissioners of trade and plantations 'that they had fitted up costly equipment by erecting workhouses, preparing ground, conveying water, and providing costly utensils', and that the whole plant would go to rack and ruin if calicoes were prohibited. It is also interesting to note that large numbers were employed in each factory. Mauvillon had 152 workmen in a single factory, of whom 60 were fieldmen, 40 tearers, 12 grounders, 28 printers, and 12 drawers and cutters. Watson's factories were smaller ; yet in one of them he employed 77 workmen of various kinds. The labourers were not all men ; women and children also were employed in these factories.

Alarmed at the undue popularity of calicoes the woollen and silk manufacturers again made an uproar, this time not against a foreign manufacture but against a native sister industry. Their clamour was again successful in moving parliament, and the result was the final prohibition in 1720 of the wearing of cotton cloth in England. But this was not accomplished without a protracted struggle. First they bullied calico-wearers by tearing their clothes to pieces. They also tried to destroy calico-presses. Many riots broke out in London and elsewhere in carrying out this policy.² Later they took to milder methods. An acrimonious controversy was also carried on by means of pamphlets and newspaper articles ; and the authorities were pestered with petitions and memorials. Newspapers were started by both parties solely to win public opinion to their side. The weavers' petitions caused an elaborate inquiry into the matter, conducted by that remarkable body of trade experts, the lords commissioners of trade and plantations.³ From November 1719 the house of

¹ *Op. cit.*, p. 518.

² See newspapers, *Old Weekly Journal*, *British Gazetteer*, and *Saturday Post*, for June to August 1717. Also pamphlets and Boyer's *Political State of Great Britain*, xvii. 627.

³ C.O. 389, vol. ix.

commons too was flooded with petitions from the weavers.¹ They came from all over the country and numbered ninety in all. The house was much influenced by these demonstrations, and soon passed a bill² penalizing the use, whether for clothing or for furniture, of printed calicoes. About this time France also made her laws about *toiles peintes* very stringent, and took measures to extirpate the industry from the land. Other countries in Europe, excepting Holland, followed suit.

In spite of this stringent legislation calico did not go out of fashion. In France the wives of ministers and ladies of the court were the first to break the law. They were passionately fond of wearing printed calicoes. 'Fruit défendu,' writes M. Clouzot,³ 'les toiles deviennent la passion de toutes les filles d'Ève françaises.' Nor did the prohibition succeed much better in England. 'All the kings and parliaments that have been or shall be cannot govern our fancies,' wrote Defoe⁴ in 1728, speaking of the injurious effects of women's calico-mania. Choice chintzes were smuggled into the country straight from India or by way of Holland. The English calico-printing industry staggered under the blow; though calico-printing did not altogether cease, because a certain amount was wanted for exportation. But this was not enough to keep the factories going, and they took to printing fustians and linens with the same designs as they used for calico. Fustian printing was highly developed and soon became a prominent industry. This did not please the weavers of Norwich and Spitalfields. They found that printed fustians harmed their industry as much as calicoes did. The act of 1720 did not prohibit the use of printed fustians and linens, but these woollen weavers wanted the law to be so construed as to include these as well. They even proceeded to prosecute fustian weavers and printers on that assumption. But parliament came to the latter's rescue by passing in 1736 an act⁵ (often called the Manchester Act owing to the leading part Manchester for the first time took in the controversy) which definitely laid down that printed goods made of linen yarn and cotton-wool were excluded from the operation of the act of 1720.

The ban on pure cotton goods remained till 1774. The calico-printing industry, however, did not die out in the meantime. As the weavers of London pointed out in their petition opposing the Manchester Act, fustians could only with great difficulty be distinguished from Indian calicoes. Printing work went on in the Surrey mills, and the workers there became highly skilled in their art. In 1744 the directors of the East India Company

¹ *Commons' Journals*, vol. xix, *passim*.

² *Les Toiles Peintes de l'Inde* (printed in Baker).

³ *A Plan of English Commerce*, p. 252.

⁴ 7 George III, c. 5.

⁵ 9 George II, c. 4.

wrote to India, 'Printing here has come to so great perfection that unless you can keep to these instructions you must lessen the quantity'. About the same time English printed goods gained great reputation on the Continent. Jean Rhymer,¹ a Bayle calico-printer, wrote that the English successfully attempted the imitation of the best Indian work in prints, and that they arrived at a degree of perfection which no one would have thought possible.

Most of the calico-printing works² were situated in Surrey. The banks of the Wandle were studded with these mills from Croydon down to Wandsworth. The running water of that river was utilized in driving the mills. We do not know exactly how many factories in all there were, but we know that in 1805 there were twelve calico-printing works, employing as many as 3,000 hands. There were besides these many linen-printing works. The chief families engaged in the industry were the Ormerods, the Selbies, the Marlars, and the Burroughses. The parish registers of Surrey churches contain numerous notices of members of these families entered specifically as calico-printers. Especially the Mitcham registers have a great number of such entries for the first half of the eighteenth century. Considering the number of the calico-printing and other factories in Surrey, and the large numbers employed in them, we are perhaps right in inferring that that region was in those days one of the principal industrial areas of England.

Lancashire had not yet taken to calico-printing. Manchester was not yet 'the city of cotton twists and twills' which it subsequently became. In 1764 Messrs. Clayton set up a small factory at Preston for calico-printing, but it was the first Sir Robert Peel, the father of the prime minister, who made it a prominent industry of the county. Various technical improvements were soon made in printing methods. The introduction of the powerloom revolutionized cotton industries as a whole. Calico became cheap and plentiful, and this made for a marvellous expansion of the printing industry. Surrey, already losing ground, soon found itself completely crippled. Yet some of the mills dragged on a lingering existence down to the middle of the last century.

It was the Lancashire industry which made Sydney Smith write in 1845: 'The great object for which the Anglo-Saxon race appears to have been created is the making of calico.'³

PARAKUNNEL J. THOMAS.

¹ Baker, p. 48.

² See *Victoria County History, Surrey*, ii. 369 ff.

³ *Works*, iii. 476.

The Genesis of the War

MR. ASQUITH'S book,¹ although it bears the title which we have borrowed for the present essay, is essentially a review of liberal foreign policy in the years 1906-14. This survey is interrupted by some digressions into other spheres. There is a short chapter on Mr. Page and Colonel House, with special reference to the Berlin mission of the latter in May 1914. There are three chapters on the history of the Austrian ultimatum, and three on the Kaiser's character and policy. But these digressions are founded on recently published memoirs, and contain little that is new, except Mr. Asquith's criticisms, which, it need hardly be said, are always pertinent in substance and moderate in tone. The backbone of the work is the series of chapters in which Mr. Asquith describes the relations of Sir Edward Grey with Germany before the Serajevo crisis, and his efforts to avert a war in the last days of July 1914. Mr. Asquith does not write as a party man. He frankly recognizes that Lord Grey continued the policy of Lord Lansdowne, in treating the *entente* with France as fundamental. It is pleasant to find Mr. Asquith invoking the help of three foreign offices (the British, the French, and the American) to prove the baselessness of two charges against conservative cabinets. It was perhaps unnecessary that a whole chapter should be devoted to the mythical 'Gentlemen's Agreement' of 1897 between France, America, and England (pp. 30-8). But the statement that Lord Lansdowne, during the first Morocco crisis, sent to Paris an unauthorized offer to land 100,000 men in Schleswig-Holstein has found its way into the Kaiser's memoirs and at least one British text-book,² and was therefore worth refuting. Clearly Mr. Asquith holds that, in the critical period before the war, the two great English parties were in substantial agreement as to the course which should be followed in foreign affairs; and that neither party has any reason to be ashamed of the methods by which their common policy was carried out.

As a literary performance, and also as a piece of historical narrative, this book will naturally be compared with that of

¹ *The Genesis of the War*, by the Right Hon. H. H. Asquith. London: Cassell, 1923.

² Gooch and Masterman, *A Century of British Foreign Policy* (1917), pp. 61-2.

M. Poincaré on the same subject. M. Poincaré is the more agreeable writer of the two. He tells a story well, with just the appropriate seasoning of irony and rhetoric. Mr. Asquith is eminently sober, matter of fact, judicial. His tone inspires confidence, but hardly chains the attention, or casts a spell over the understanding, of the reader. M. Poincaré has taken greater pains to supplement his personal reminiscences from documents, and to enliven them with revelations. Mr. Asquith is less concerned about the completeness of his story. He starts his reminiscences at the year 1906, presumably for the reason that he had not devoted special attention to foreign policy before he joined the cabinet of Campbell-Bannerman. He has at his disposal no new diplomatic documents, or at least none that he feels justified in printing; and he makes a rule, as he says himself, of not disclosing cabinet secrets. As to the development of the European situation he gives us no new facts, and he shows no inclination to criticize the statements of fact which are to be found in the speeches of Lord Grey and the memoirs of Lord Haldane.

But, for all that, Mr. Asquith is a witness of the very first importance, especially for the period when, as head of the cabinet, he was working in close and constant consultation with Lord Grey. Here he gives his own impressions, which must have contributed materially to the shaping of national policy. He also throws valuable light on the working of the machinery of government. For instance, he tells us that, in those days, foreign questions were not settled by one minister or by an inner conclave. The whole cabinet was free to investigate and to discuss in the fullest manner before any decision was taken. The Grey letter of November 1912, which defined British obligations under the *entente*, 'was canvassed and sifted by the Cabinet word by word' (p. 3). Divisions were rarely taken in the cabinet; after a discussion, the prime minister collected and interpreted the general opinion (p. 4). Apparently the control of the cabinet was not quite so complete under Campbell-Bannerman, who, for example, does not seem to have consulted his colleagues before authorizing Lord Haldane to initiate conferences of French and British military experts. But this we learn from other sources.¹ Mr. Asquith is silent on the subject. Campbell-Bannerman was probably right, though the decision which he took into his own hands was by no means unimportant. Much must be settled, in practice, between prime minister and foreign secretary; and a diary of Mr. Asquith's conversations, as prime minister, with Sir Edward Grey would be invaluable to the historian. We doubt the existence of such a diary, because

¹ J. A. Spender, *Life of Campbell-Bannerman* (1923), ii. 253-6; Haldane, *Before the War* (1920), p. 163.

some of the reminiscences in this book are obviously darkened by the shadow of later events. Was Bülow, for example, really regarded, before the publication of his *Deutsche Politik* (1914), as the incarnation of all that was most aggressive in German imperialism? Was he not remembered here chiefly as a diplomatist who had played a shabby trick on Chamberlain, apparently from want of moral courage? Incidentally we would ask, with some diffidence, whether Mr. Asquith's present impression of Bülow is correct, whether he has not read into *Deutsche Politik* an unduly sinister significance, and whether Bülow, for all his efficiency, was much more than a cork on the wave of German public opinion. Baron von Schoen found Bülow a man of moderate opinions, when they worked together; convinced, of course, that no agreement with France or England could be more than superficial; but still anxious to avoid unnecessary friction, and content to wait in patience until Germany, through the expansion of her commerce and her military resources, should be in a position to take her rightful place in the world and impose her will by peaceful pressure on rivals whom she had outgrown and outpaced.

Mr. Asquith does give us the contemporary impressions of Lord Grey in 1909 and of Mr. Churchill in 1912, quoting in each case a confidential speech delivered to the committee of imperial defence for the special benefit of the dominion representatives on that body. Lord Grey said:

We are most anxious to keep on the best terms with Germany. I believe she is also genuinely anxious to be on good terms with us, and we smooth over the matters which arise between us without difficulty. . . . But we must make it a cardinal condition in all our negotiations with Germany that, if we come to any understanding of a public kind which puts us on good relations with Germany, it must be an understanding which must not put us back into the old bad relations with France and Russia. That means to say that, if we publicly make friendship with Germany, it must be a friendship in which we take our existing friends in Europe with us and to which they become parties (p. 124).

Lord Grey was of course referring to comparatively recent negotiations—those over the Bagdad railway in 1907, which broke down, as Baron von Schoen has told us, because Lord Grey asked that France and Russia should be brought into the discussions; and to the North Sea agreement of 1908, which he only agreed to negotiate after France had been made a party to it.¹ But the danger which he described in this speech was never so evident as in the naval negotiations of 1912, when Bethmann-Hollweg offered to discuss the mutual limitation of shipbuilding

¹ Schoen, *Memoirs of an Ambassador* (Engl. tr., 1922), pp. 62-7; Haldane, pp. 47-52.

programmes on condition that Great Britain first gave an undertaking of neutrality which would effectively have barred us from coming to the help of France, even if France was invaded by the Germans, and would further have obliged us to 'hold the ring' during the conflict.¹

Mr. Churchill's speech (pp. 77 ff.) dwells, more frankly than was possible in the house of commons, upon the disquieting features of the German naval programme. He explained that the new fleet was designed for aggressive and offensive action of the largest possible character in the North Sea or North Atlantic :

The structure of the German battleships shows clearly that they are intended for attack and for fleet action. They are not a cruiser fleet designed to protect colonies and commerce all over the world. . . . The position of the guns, the armament, the way the torpedo tubes are placed—all these things enable naval experts to say that this idea of sudden and aggressive action on the greatest scale . . . is undoubtedly the guiding principle.

He then referred to the German submarine programme as providing not the smaller classes of submarine which would be useful for the defence of the coast-line, but the large classes which would be capable of sudden operations at a great distance from their base.

Mr. Asquith's account of the steps which were taken to provide for military and naval defence of the empire is complementary to that of Lord Haldane, and dwells in particular upon the work of the committee of imperial defence, a body first instituted by Mr. Balfour. The chapter devoted to this subject may be commended to the notice of constitutional historians (pp. 111-18). Mr. Asquith says that, although the committee had no power to settle large questions of policy, the final decision always resting with the cabinet, he can recall few, if any, instances in which conclusions suggested by the committee were overruled in the cabinet. In 1908 the committee decided that invasion of the British Isles was impracticable on a large scale, so long as British naval supremacy was assured against any probable combination of powers ; and that, for the purpose of defeating raids on a small scale, there should be a home defence force of about 70,000 men. These decisions were reviewed and confirmed in 1913-14 ; and, as Lord Haldane remarks, the first of them appears to be accepted as a truism by Tirpitz. The committee also made plans for the control of the ports and railways, for the national insurance of shipping

¹ See the text in Haldane, p. 64. The published memorandum of the foreign office on these negotiations is reprinted in Gooch and Masterman, pp. 99-104.

and cargoes, for the press censorship and postal censorship, and the treatment of resident aliens. Its measures culminated in the preparation of the secret war book, containing the emergency instructions to be issued to all departments on the outbreak of war. But Mr. Asquith does not remind us of a fundamental mistake which appears to have vitiated the usefulness of some of these preparations. We owe to Lord Haldane the statement that the general staffs both in France and England had counted on a war of mobility, settled by a series of great battles and therefore necessarily short.¹

Lord Haldane, who as minister of war kept careful notes of his impressions, differs from Mr. Asquith in believing that the European war did not become inevitable before the German military law of 1913, and also in suggesting that this was the general view of the Asquith cabinet.² In 1913, he states, the great general staff took control of German policy—a view which does not altogether tally with Ludendorff's statement that the military law of that year was only allowed to pass in a mutilated form. Perhaps Lord Haldane thought the civilian ministers of the Kaiser, when he met them in London or Berlin, more ready for a compromise than was actually the case. Bülow and Tschirschky and Schoen were evidently courteous to Lord Haldane, and attentive to English proposals, in 1906 and 1907. Bethmann-Hollweg in 1912 expressed, no doubt sincerely, his desire to help Lord Haldane 'to exorcise the spectre of armed Imperialism'. Still these amiable conversations proved barren of results, leading at the best to offers which England could not prudently accept. Lord Haldane finds a reason for some at least of these failures in the divided control of foreign relations at Berlin. As Tschirschky remarked, the opinion of the Prussian secretary for foreign affairs might be quite different from that of the chancellor; and the emperor would not improbably disagree with both these ministers.³ But the effect of this chaos at head-quarters was always the same—a decision against any *modus vivendi* which Great Britain could propose or entertain. It has lately been the fashion to emphasize the unfriendliness of particular German statesmen. Eckardstein is inclined to blame Holstein for the failure of all the pourparlers from 1895 to 1901, and Mr. Gooch, in several of his recent studies, makes Holstein the arch-enemy from the time of Bismarck's retirement up to his own retirement in 1906. In fact, says Mr. Gooch, 'Holstein's career was a disaster to his country'.⁴ This seems

¹ *Before the War*, pp. 169–70.

² *Ibid.* pp. 3–11.

³ *Ibid.* p. 11.

⁴ *Cambridge Hist. Journal*, i. 61–84. See also Gooch, *Hist. of Modern Europe* (1923), *passim*, and in *Cambridge Hist. of Brit. For. Policy*, iii. 276.

to be an exaggerated view of the importance of a permanent official who contrived to acquire the reputation of a 'man of mystery' by his morbid habit of self-seclusion, his aptitude for intrigue, and his very mordant dispatches. Holstein can hardly have been a compelling force at head-quarters in Berlin. He was disliked and feared by the diplomatists whose careers he occasionally marred from motives of personal spite; by the Kaiser whom he sedulously avoided; by the colonial party and the naval party whom he treated as mere fools. He is credited with almost all the mistakes of German diplomacy for some sixteen years. But, as to the non-renewal of the Reinsurance Treaty (if that was a mistake), he had on his side the collective wisdom of the foreign office. It remains to be proved that he made the breach with Japan in 1895. He disapproved of the Krüger telegram; and in the abortive advances to Russia of 1904-5 he acted simply as the advocate and agent of the Kaiser's views. The Tangier demonstration of 1905 may be placed to his account; but this caused his downfall. If he had been really responsible for the fiascos of the Krüger telegram, or of the Treaty of Björkö, he would have gone much earlier. But, even if we take him at the estimate of Eckardstein, the harm that he had done was not necessarily irremediable. Agadir and the naval crisis and the army law of 1913 came after his time. The real mischief at the Wilhelmstrasse was not the idiosyncrasy of this or that official, but the general assumption, even on the part of moderate men, such as Schoen and Kiderlen-Waechter, that a real settlement of the differences with England or with France was out of the question. 'These differences', remarked Schoen, 'could only be settled by an unworthy capitulation on our part, by our sacrificing vital interests.'¹ It mattered nothing that the ambassadors in England—Hatzfeldt, Metternich, Lichnowsky—supported the opposite view. The last two of the trio were simply discredited at Berlin in consequence of their well-meant representations. The Anglophobes had behind them, not perhaps the opinion of the majority of Germans, but certainly the opinion of a highly organized and vociferous minority, which was feared by the imperial government, and exploited by the naval and military chiefs.

Rather inconsistently Lord Haldane, after indicating 1913 as the year of fate, also contends that peace was still within the range of possibility in 1914. 'A few unlucky words made all the difference in the concluding days of July 1914.' What those words were he does not say; perhaps he is thinking of the conversations between Germany and Russia. But the suggestion that all the parties concerned slipped or stumbled into the war, through

¹ *Memoirs of an Ambassador*, p. 58.

a mere misunderstanding of what some one said, is sufficiently surprising when it comes from a statesman of Lord Haldane's eminence. It is a theory which we find it difficult to accept when we consider the situation in the Near East, where the first spark of the conflagration was kindled. In western Europe the diplomatic outlook was distinctly promising through the first six months of 1914. Lichnowsky in London, and the more experienced Schoen at Paris, were justly gratified at the progress of the negotiations which they had to conduct with England and with France. But, even in the west, those who followed Balkan politics with close attention were seriously perturbed about the possible consequences of the Peace of Bucharest. The situation became acute in July because Austria-Hungary and Germany believed that treaty to have produced a situation which they could not tolerate, and which could only be mended by an act of war. How the responsibility for this decision should be distributed it is not easy to determine. But our knowledge of the events of the period 5-23 July has grown rapidly in the last few years. The outline of the story can be traced with reasonable confidence, though many details still remain obscure.

As it is at this point that Mr. Asquith's book becomes least satisfactory, through his tendency to rely upon such doubtful sources as Kautsky's *Guilt of William Hohenzollern* and the memoirs of the Kaiser and Tirpitz, we make no apology for tracing the development of the Austro-German design from the beginning of July to the date of the delivery of the Austrian ultimatum.

The state of feeling at Vienna, between the treaty of Bucharest and the Serajevo murder, was evidently electric. In the spring of 1914 Lichnowsky was told by one of his secretaries, who had just returned from Vienna, that Tschirschky regarded war as imminent. In May 1914 Pallavicini, Austrian ambassador at Constantinople, discussed the situation with Francis Joseph and found him of the same opinion as Tschirschky.¹ The aggrandizement of Serbia, her close relations with Russia, her benevolent attitude towards the Great-Serbian movement, caused her to be regarded at the Ballplatz as the spear-point of a hostile coalition organized by Russia and encouraged by France. Conrad, the leader of the military politicians, complained that Serbian propaganda would soon destroy the morale of the army, and prophesied that, unless Serbia received a lesson, the finances of the monarchy would be wrecked by the enormous burden of maintaining a quarter of a million soldiers to protect the southern frontiers.² Stürgkh, the prime minister of Austria, and Tisza,

¹ Morgenthau, *Secrets of the Bosphorus*, p. 56.

² For this figure see Bourgeois and Pagès, *La responsabilité de la guerre* (1921), p. 73.

the prime minister of Hungary, were preoccupied with home questions. The conduct of foreign policy fell to Berchtold, who, if not altogether such a nonentity as M. Dumaine would have us believe, had no clearly defined policy in quiet times, and was incapable of grasping the salient features in a complicated situation. Routine work bored him; and in a crisis he acted with a reckless insouciance which, in retrospect, seems almost terrifying.¹ He was infected with the hatred for Serbia which M. Dumaine found prevailing in official circles at Vienna, a hatred so intense as to destroy all sense of measure and proportion.² But M. Dumaine suggests that Count Forgach was largely responsible for Berchtold's anti-Serbian policy, which is probable enough as Berchtold was in the habit of leaving much serious business to this active and unscrupulous subordinate.

The murder of the Archduke Francis Ferdinand was not regretted in Hungary or at the imperial court. Rumour had exaggerated the importance of his personality, of his rather indefinite political schemes, and of his personal relations with the German emperor; so at least we are informed in the by no means unkindly or unappreciative chapter which Czernin, his political confidant, has devoted to his memory. 'He was no fanatic for war.' 'There could be no question of any real understanding between him and the Emperor William.' 'He had very definite and pronounced ideas for the reorganization of the Monarchy, but the ideas never developed into a concrete plan.'³ But his death was made a *casus belli* by the subjects of the monarchy (the Czechs and the South Slavs excepted) as well as by the statesmen. There was a general belief that Serbia was morally responsible for the crime. 'All the leading circles became suddenly aware that there was a South Slav question which must be solved.'⁴

This view was emphasized in the highest quarters by the German ambassador, as he himself relates. Tschirschky saw Francis Joseph, on 2 July, to explain that the German emperor had been prevented from attending the archduke's funeral by representations that his own life might be attempted in Vienna.⁵ During the interview Francis Joseph spoke of the danger to which the monarchy was exposed from the intrigues of the Serbian government and of the Russian representative in Belgrade.

¹ Dumaine, *Dernière Ambassade* (1921), pp. 22, 88-9, 219-31.

² *Ibid.* p. 45.

³ Czernin, *In the World War* (Engl. tr. 1919), pp. 42-51.

⁴ Windischgraetz, *My Memoirs* (Engl. tr. 1921), p. 51.

⁵ Kautsky, nos. 6 a, 6 b (the collection made by Kautsky and edited by Mongelas and Schücking for the German government under the title *Deutsche Dokumente zum Kriegsausbruch*, 4 vols., Charlottenburg, 1919).

To this [writes the ambassador] I replied, as I had recently done with great emphasis to Count Berchtold, that H.M. could reckon upon finding Germany a resolute backer of the Monarchy, as soon as the defence of a vital interest was in question. To decide when and where such an interest presents itself must be left to Austria herself. No responsible policy could be elicited from expressions of opinions and wishes, however clear these might be. Before any decisive step one must consider exactly how far one is prepared and obliged to go. First and foremost the general political situation must be weighed, and the ground carefully prepared. I could only repeat that my Emperor would support any firm decision which Austria-Hungary might take.¹

It was in response to this invitation that Francis Joseph wrote the undated autograph letter which his ambassador presented at Potsdam on 5 July.² With the letter went a memoir on the Balkan situation, which had been compiled under Berchtold's direction and completed (except for a short postscript) before the murder of the archduke. The memoir related that France and Russia were proposing to neutralize the military superiority of the Triple Alliance by means of a Balkan *bloc*, into which Bulgaria and Roumania would eventually be drawn. This *bloc* would infallibly attack Austria-Hungary; for no other purpose could the Balkan states ever come to an agreement. It was just possible that Roumania might be kept out of the *bloc* by German influence. But there was a better prospect of bringing Bulgaria to an understanding with the Triple Alliance and with Turkey. German no less than Austrian interests were at stake. In striking at the monarchy Russia intended to attack the Central European *bloc*, which stood in the way of her ambitions. The postscript emphasizes the impossibility of a reconciliation with Serbia and the danger arising from the Great Serbian propaganda, and ends by declaring that the monarchy is obliged to burst through the toils prepared for it.³ This vague remark is the only passage in the memoir which suggests any immediate and violent action. What is demanded in the main body of the memoir is a new orientation of diplomacy in the Balkans. The imperial letter is shorter than the memoir and more relevant to the immediate situation, but still ambiguous in details. Even if the Serajevo crime cannot be brought home to the Serbian government, it is a natural consequence of Serbian policy. 'The efforts of My government must henceforth be directed to the isolation and diminution of Serbia.' Then follows

¹ Kautsky, no. 11.

² From this point I am much indebted to the first part of the monograph of Dr. C. Barbagallo, *Come si scatenò la guerra mondiale* (Milan, 1923), in which the evidence of the Austrian Red Book of 1919 is minutely analysed. I have not, however, been able in all cases to accept his very acute deductions from the documents.

³ Kautsky, no. 14.

an obscure outline of the necessary action. The present Bulgarian government must be strengthened and prevented from committing itself to pro-Russian courses; it must then be induced to make an alliance with Roumania on the basis of guaranteeing the integrity of the Roumanian kingdom. 'If this plan succeeds, one could go further and attempt to bring Greece into alliance with Bulgaria and Turkey,' thus creating an anti-Russian bloc. 'But this will only be possible if Serbia, which at present is the pivot of Pan-Slav policy, is eliminated as a political factor from the Balkans.' In fact *Serbia delenda est*; but when, how, by whom is left uncertain.¹

The German emperor was, as he said to Count Szögyeny, not unprepared for some such communication. He referred at first to the necessity of consulting Bethmann-Hollweg. But, under a little pressure, he committed himself to pledges which his constitutional advisers, not without misgivings and perhaps not without expostulations, subsequently endorsed. Szögyeny reports him as saying:

He ought of course to take the Chancellor's advice, but he had no doubt that Bethmann-Hollweg would agree. And this would apply specially to action taken by Austria against Serbia. In his view we ought not to wait long before acting. Russia's attitude would certainly be hostile, but for years he had been prepared for that, and we might rest assured that, even if a war broke out between Austria-Hungary and Russia, Germany with her usual good faith would be on our side. Besides, Russia was not yet ready for war. . . . But she would rouse against us the other powers in the Triple Entente, and would stir up the fire in the Balkans. He quite understood that His Apostolic Majesty, owing to his well-known love of peace, would find it difficult to resolve on invading Serbia. But if we really recognize the necessity of taking action against that country, he would be sorry to see us letting the present most favourable opportunity escape us.²

The obscurity of the Austrian communications was probably intentional; for Berchtold and Tisza were at variance about the appropriate line of action, Berchtold favouring an immediate attack on Serbia, and Tisza pressing for a more deliberate course, which would at least give Serbia an opportunity of making an *amende*. The advice from Potsdam was a strong point in favour of Berchtold's plan; since Austria could do nothing without German help, she could not lightly disregard German wishes. The official declaration which Bethmann-Hollweg sent to Vienna, on 6 July, did not repeat the emperor's broad hint, but

¹ Kautsky, no. 13.

² *Austrian Red Book* (1919), no. 6. The accuracy of the Austrian ambassador's report has been challenged. But see Mr. Asquith's convincing comment (*Genesis of the War*, pp. 168-9), and the emperor's *marginale* of 30 June: 'Serbia must be settled with and that soon' (Kautsky, no. 7).

was not inconsistent with it. For in effect the chancellor signed 'the blank cheque' :

As regards Serbia, naturally H.M. can take up no definite position with regard to the questions pending between Austria-Hungary and that country, since they are outside his competence. But the Emperor Francis Joseph may rest assured that H.M. will stand loyally beside Austria-Hungary, conformably with his obligations as an Ally and his old friendship.¹

It is highly probable, as Dr. Barbagallo suggests, that Bethmann-Hollweg disliked the policy ; but in his memoirs the chancellor refuses to shield himself behind his sovereign.

On the receipt of these assurances in Vienna the situation was discussed by the council for common affairs (7 July). Berchtold argued for following the advice of the German emperor. No good had ever yet come of diplomatic action against Serbia, and she was undermining the monarchy up to Agram and Zara. Tisza, however, made a stand. He would never agree to attacking Serbia without previous diplomatic action ; he regretted that such a plan had been ventilated at Berlin. It was not Germany's business to decide whether the monarchy should fight Serbia. He preferred the plan of a Balkan *bloc* to hold Serbia in check and to win back Roumania to her old allies. Berchtold's plan would bring Russia into the field at once, and a European war would be a terrible disaster. Tisza therefore proposed that mobilization should be postponed until concrete terms had been presented to Serbia and rejected by her. His opponents made a show of concession. It would, they agreed, look better to adopt the correct and leisurely procedure which he recommended. But it was finally resolved 'that a purely diplomatic success, even if it ended in a public humiliation of Serbia, would be worthless, and therefore such far-reaching demands should be presented to Serbia as would ensure her rejection of them ; this with a view to a radical settlement by military action'.² After which the council debated, without notes being taken, the probable course of a European war.

Already the German emperor was growing impatient. On 8 July Berchtold received, through Tschirschky, a message from 'my Master' that Berlin expected the monarchy to take action against Serbia, and that in Germany people would fail to understand how Austria could lose the opportunity presented to her.³ Berchtold's answer was disappointing : the objections of Tisza had still to be considered by the Austrian emperor ; in the end an unacceptable ultimatum would probably be sent to Serbia.

¹ Kautsky, no. 15.

² *Austrian Red Book* (1919), i, pp. 26-35.

³ *Ibid.* no. 12.

But, according to Conrad, sixteen days would be required for mobilization; and a plan of campaign could not be settled until the attitude of Roumania was known. Tschirschky seems to have done his utmost to expedite the deliberations. Tisza said afterwards that the key-note of all the private conversations of the German ambassador was: 'Now or never'.¹ To suppose that he exceeded his instructions is gratuitous. Lichnowsky tells us that he was the last person likely to take an independent line. Jagow, his superior at the foreign office, and Stolberg, his subordinate at Vienna, were satisfied that he only did what he was directed to do. His successor learned from Berchtold that Tschirschky 'simply declared that the German government regarded a determined procedure as desirable'.² The English and French ambassadors thought that he went beyond his instructions; but they did not know what his instructions were.³ M. Dumaine, with the Kautsky documents before him, refuses to modify his original impression. But, we must regretfully admit, his reminiscences of Vienna, delightfully written and full of striking observations as they are, are coloured too obviously by the Viennese gossip of 1914, and by the author's insistence upon the personal factors in a situation of which, at that time, no ambassador, situated as he was, could form an accurate opinion.

In this period of suspense Berchtold received a disconcerting report from Wiesner, the judge appointed to investigate the crime of Serajevo. According to this document, which is a telegram dated 13 July, the connivance of the Serbian government had not been proved, and could not even be suspected.⁴ This document he disregarded and concealed, and he continued to put pressure upon Tisza. At last, on 14 July, Tisza withdrew his objections to an attack on Serbia, making, however, the important condition that there should be no question of annexing Serbian territory after the war—apart from small rectifications of the frontier. This condition was accepted at a council held on 19 July, but the majority passed a rider to the effect that Serbian territory might nevertheless be diminished in favour of other states (that is, of her Balkan rivals), and that a brief military occupation of parts of Serbia should be lawful, if it seemed necessary.⁵ This rider was kept secret when the ultimatum was published, although Tisza's principle of no annexations was announced at all the courts. We observe that Dr. Barbagallo is convinced of the moral superiority of Tisza, with his 'Hun-

¹ Czernin, p. 10.

² *Official German Documents* (ed. Scott), i, pp. 28, 36, 59.

³ *English White Book* (1914), nos 95, 141; Dumaine, *Dernière Ambassade*, pp. 131-2, 140.

⁴ Bourgeois and Pagès, p. 4.

⁵ *Austrian Red Book* (1919), no. 26.

garian policy', over Berchtold, the spokesman of perfidious Austria. It is more in keeping with Tisza's character to suppose that he hoped to pacify Russia, and also Italy, by disclaiming in advance the design of dismembering Serbia. After he had withdrawn his opposition to war he threw himself with zeal into the business, with which a high-minded man would scarcely have soiled his hands, of stiffening the terms of the ultimatum (drafted by Forgach and Musulin ¹) so as to make its acceptance by Serbia impossible. If the worst came to the worst, Tisza pinned his faith on Germany's promise of unconditional support. But he hoped that the worst would be averted. As late as 26 July he told Prince Ludwig Windischgraetz that 'Berchtold thinks it will come to nothing; at the last moment every one will be afraid'.² This comfortable conviction was far too prevalent in high Austrian and Hungarian circles during the month of July.

We may now turn from Vienna to consider the steps which were taken at Berlin in consequence of the decision to give Austria-Hungary 'the blank cheque'. Whatever the private misgivings of Bethmann-Hollweg and Jagow, they were clear that the situation could only be aggravated by large and notorious preparations. Probably the military and naval authorities had been consulted before the Kaiser interviewed the Austrian ambassador on 5 July. For after that interview he held only the most formal and hasty conversations with the heads of the admiralty and the war office. The story of the Potsdam council of 5 July, though it got into circulation early after that date and is accepted by Lichnowsky, can hardly be accepted in the face of the evidence collected by the German committee of inquiry in 1919-20.³ It is true that MM. Bourgeois and Pagès refuse to believe the evidence of the witnesses who then came forward. But to prove that a council was held they themselves rely in the last resort upon Wangenheim, the German ambassador at Constantinople, who described the council to Mr. Morgenthau (in August 1914) and added that he had himself been present.⁴ Now Mr. Morgenthau was surprised that his colleague should disclose an incident which reflected so seriously on the public professions of Germany. He suggests that Wangenheim had been carried away 'by his excessive vanity, his desire to show how close he stood to the inner counsels of the Emperor'. Is it too much to suppose that Wangenheim, finding the legend of the council already current in Germany, seized upon it and introduced himself into it, from pure vanity?

¹ Pribram, *Austrian Foreign Policy* (1923), p. 64; Kautsky, no. 50.

² Windischgraetz, *My Memoirs* (Engl. tr., 1921), p. 55.

³ *Official German Documents*, i. 10-68.

⁴ Bourgeois and Pagès, pp. 75, 118; Morgenthau, p. 54.

The evidence laid before the German committee of inquiry is highly circumstantial. On the afternoon of 5 July the emperor saw Bethmann-Hollweg and Zimmermann in the park of the New Palace. He told them that the policy must be to support Austro-Hungarian action against Serbia, without instigating or advising any particular course. It was advisable to conciliate Bulgaria, but nothing ought to be done which would affront Roumania. 'These views', says Bethmann-Hollweg, 'were in line with my own opinion.'¹ That same afternoon the emperor sent for Falkenhayn, the war minister, read to him a part of the Austrian communications, explained the seriousness of the situation, and asked if the army was prepared for all contingencies. The war minister replied 'briefly and unconditionally' that it was, and asked if further preparations were required. The Kaiser said no, and the interview ended. Lyncker, chief of the military cabinet, and Plessen, the adjutant-general, were present, but took no part in the conversation.² Moltke was on leave at Carlsbad. Waldersee, the acting chief of the general staff, only returned to Berlin on the 6th, to find awaiting him a verbal message that Germany would stand by Austria.³ Another message, sent to the admiralty on the 5th, stated explicitly that the Serbian complication might lead to war with Russia and with France. This message made no reference to England. Next morning, before 8 a.m., Capelle, the deputy of Tirpitz at the imperial naval office, was summoned by telephone to Potsdam. The emperor, who was just starting for Kiel, said that he did not anticipate a great war. The tsar would hardly associate himself with the murderers of princes. Moreover, France and Russia were not at the moment prepared for war.⁴ Later in the day, at Kiel, the Kaiser told Krupp von Bohlen-Halbach that the situation was serious. This witness told the committee less than he had told, in July 1914, to Dr. Muehlon, one of his directors. Muehlon reports him as saying: 'the Emperor asserted that he would declare war at once if Russia mobilized. This time people should see that he would not fail. . . . No one should ever again reproach him with vacillation.'⁵

These warnings and instructions produced no visible stir in the munition factories or the government departments. Krupp, for instance, found that his works were provided with raw materials for a long time ahead, and saw no necessity for special action. Tirpitz did not return to Berlin until the 27th,

¹ *Official German Documents*, i. 10, 31.

² *Ibid.* i. 64.

³ *Ibid.* i. 64-5.

⁴ *Ibid.* i. 60-1.

⁵ *Ibid.* i. 88, and the Muehlon memorandum. The latter first appeared in the *Berliner Tageblatt* on 21 March 1918. Reprinted, together with the Lichnowsky memorandum, in *Disclosures from Germany* (New York, 1918).

it being the emperor's wish that the leave of the grand admiral should not be curtailed. Waldersee went off on leave, as previously arranged, at the express desire of the imperial chancellor. The naval authorities overhauled their arrangements for mobilization, but they had instructions from the emperor and the foreign office to incur no extraordinary expenditure, and they took no war measures until 23 July.¹ Waldersee states that no military preparations were made by the general staff during his absence on leave; his senior adjutant states that the officers of the staff were scattered all over the country on leave or on special duty, and were not recalled until 'the Russian mobilization was in full flood'.² But there are two brief notes in the Kautsky collection which reveal the tense expectation of the leaders of the fighting forces. On 17 July Waldersee wrote to Jagow (from Ivenack) to impart what he had learned of Conrad's plan of campaign:

The intention is to put six army corps in the field against Serbia, and meanwhile to undertake nothing in Galicia. Should Russia attack, they would let Serbia go and put in everything against the chief enemy. . . . General Moltke thinks of returning to Berlin on the 25th. I remain here, ready to spring. On the general staff we are ready; there is nothing at all for us to do meanwhile.³

Waldersee's note reveals a complete accord between the general staff and the foreign office. There is more formality and more anxiety in a note of 22 July from Admiral Behncke to the foreign office:

If we have to reckon with the prospect of England declaring war in the immediate future, then from the military standpoint we must assuredly count on a surprise attack by the English fleet upon our fleet. . . . As soon as we have to reckon with the chance of war breaking out with England in six days' time, the fleet must be recalled.⁴

Jagow and the chancellor replied that it was most improbable that England would act thus, or that a European war would be imminent before Poincaré had returned to France, where he was expected on 31 July.⁵ But, on 21 July, Jagow had given private and personal warnings to the general directors of the Hamburg-Amerika and Lloyd steamship companies. Clearly he saw a naval war in prospect.

The activities of the foreign office in the period 5-23 July can be studied at first hand in the Kautsky documents. The three main tasks were, to keep in touch, through Tschirschky, with the Austrian situation; to explore the possibilities of a Balkan bloc;

¹ *Official German Documents*, i. 61, 67.

² *Ibid.* i. 65, 72.

³ Kautsky, no. 74.

⁴ *Ibid.* no. 111.

⁵ *Ibid.* nos. 115, 116, 125.

and to bring about a friendly understanding between Italy and Austria-Hungary, with reference to the proposed attack on Serbia. Jagow does not appear to have answered a request from Berchtold (10 July) for an opinion on the main points of the draft ultimatum; ¹ although the request gave him the opportunity of objecting, if he had wished, to the most objectionable features of that document. All he did was to suggest that the ultimatum, when circulated to the powers, should be accompanied by a full and circumstantial statement of the case against the Great Serbian movement. ² He was, however, anxious to discover the real intentions of the Ballplatz with regard to the future status of Serbia, about which he had no certain information even on 17 July. ³ On the 18th he began to urge the importance of an understanding between Vienna and Rome. ⁴ On the 19th he asked for an early copy of the ultimatum, in order to prepare for the inevitable conversations with the powers. On the 22nd he intervened to suggest a slight delay in presenting the ultimatum at Belgrade, so that it might not reach Petersburg before the departure of Poincaré. ⁵ He did not receive the full text of the ultimatum until the 22nd, about twenty-four hours before it was delivered at Belgrade. But he had known its essential features since the 10th.

The Balkan negotiations moved slowly and produced no tangible result by 23 July. King Carol of Roumania talked sympathetically to the German minister and to the Austrian minister. But he refused to believe in the existence of a Russian peril, nor did he think that the Serbian government could be proved responsible for the archduke's murder. An alliance between Roumania and Bulgaria could not be concluded for at least a year, owing to the friction caused by recent incidents. He could not venture to publish his secret treaty (of 1913) with the Triple Alliance, ⁶ for it would not be honoured by the Roumanian nation. He thought that the statesmen in Vienna had lost their heads, and spoke disrespectfully of Berchtold. He had it from Sazonof himself that Russia would not tolerate an Austrian attack on Serbia. As for the plan of promoting an alliance between Bulgaria and Greece, he thought it impracticable unless Greece would give up Cavalla. The only assurances he could give were that he would not be a party to a Roumanian invasion of Transylvania, and that he was under no obligation to help Serbia. From this position he never really departed, in spite of further conversations at Berlin. ⁷ Equally fruitless were

¹ Kautsky, no. 29.

² *Ibid.* no. 31.

³ *Ibid.* no. 61.

⁴ *Ibid.* nos. 68, 89, 94.

⁵ *Ibid.* no. 112.

⁶ Pribram, *Secret Treaties of Austria-Hungary*, i. 260-5.

⁷ Kautsky, nos. 28, 41, 66, 208, 210; Czernin, pp. 94-5.

the inquiries at Athens and Sofia, although Radoslavov talked of applying for admission to the Triple Alliance, and said that Bulgaria would not raise a finger to help Serbia.¹ In the end a new alliance was made with Turkey alone of the Balkan powers ; and this rather reluctantly, in view of serious misgivings as to the value of the Turkish army. On 28 July Bethmann-Hollweg authorized the signature of a formal treaty. The *casus foederis* was to be the armed intervention of Russia between Austria and Serbia. When that occurred, the Turkish army was to be placed, in fact if not in form, under the control of a German military mission.² On the 31st the chancellor was half inclined to withdraw the instruction to sign, but he was reassured by Wangenheim as to the value of the alliance. The treaty was signed next day.

The best that the German foreign office hoped from Italy was a promise to remain benevolently neutral during the attack on Serbia. But Italy was entitled (under the treaty of 1887) to compensation for any advantage, territorial or other, which Austria-Hungary might obtain in the Balkans ; and Austria-Hungary was bound to obtain the consent of Italy before making any change in the *status quo*.³ Berchtold could not be induced to honour these obligations frankly and in full. He had, in fact, proposed to confront Italy with an accomplished fact. At the eleventh hour (22 July) he was induced to give the Italian government a general and disingenuous account of his intentions ; even then he turned a deaf ear to the advice of Berlin, which was that he should offer Italy the Trentino. All that he promised was 'to exchange views' with Italy, if the monarchy should 'unexpectedly' come into possession of Serbian territory (28 July).⁴ There was no subject on which Germany found her ally so unreasonable and so indocile as on this, although it was clear that the Trentino was an offer which Italian statesmen would be unable to reject.

The story of Germany's preparations brings us into the period with which the 'coloured books' of 1914 are specially concerned. Of these books a most useful collection (in English) appeared in 1916, under the editorship of Dr. James Brown Scott.⁵ But there is room for a new critical edition, and a few years hence the material for such an edition is likely to be superabundant. For new documents, and new criticisms of the old documents, are constantly appearing. The Kautsky collection has revealed some notable omissions and perversions in the German White

¹ Kautsky, nos. 162, 189, 251, 318.

² *Ibid.* no. 733.

³ Pribram, i. 108-9.

⁴ Kautsky, nos. 44, 46, 87, 104, 119, 156, 212, 287, 326, 328.

⁵ *Diplomatic Documents relating to the Outbreak of the European War* (2 vols., New York, 1916). Published by the Carnegie Endowment for International Peace.

Book of 1914. The latter work omits, for example, the momentous warning which the German chancellor sent to Sazonof on 29 July, and which the latter treated as a proof that war with Germany was practically inevitable.¹ It was addressed to the German ambassador, and runs as follows: 'Please warn Sazonof very seriously that further progress of Russian mobilization measures would compel us to mobilize, and that then a European war could hardly be prevented.'² This was considerably stiffer than the warning dispatched simultaneously to France, and it undoubtedly precipitated, instead of delaying, the progress of the Russian mobilization. As the warning to France was printed in the White Book, the suppression of this companion document can hardly have been fortuitous. The tsar's proposal (29 July) that the dispute between Austria and Serbia should be referred to the Hague tribunal³ is also omitted in the White Book; though a part of the Kaiser's reply of 30 July is printed there with an omission and an alteration intended to suggest to the reader that the chancellor's warning to Sazonof was not delivered before that day, the date on which the tsar finally ordered a general mobilization.⁴ Comments on the significance of these editorial vagaries will be found in the able but too acrimonious work of MM. Bourgeois and Pagès (pp. 28 ff.). The Kautsky collection also gives the authentic texts of some other papers relating to that German peace-move which began on 29 July and ended on 31 July. The series begins with a memorandum of the general staff on the political situation, which is dated 29 July and was delivered to Bethmann-Hollweg on that day. This predicts that as soon as the Austrian army enters Serbia, it will be confronted by a superior Russian force. Then Austria will be obliged in self-defence to mobilize the other half of her forces; and the moment that Austria begins this general mobilization, the conflict between Russia and herself becomes inevitable. That is the *casus foederis* for Germany, and she too must then mobilize, and prepare for a war on two fronts against Russia and France.⁵ That same afternoon the chancellor received a similar message from Conrad, with a request that Russia should be warned of the probable consequences of any further mobilization on her part.⁶ These communications explain the quasi-ultimatum which Bethmann-Hollweg dispatched to Sazonof on that day,⁷ and the personal appeal (drafted by Jagow) which the Kaiser sent a few

¹ *Russian Orange Book*, no. 58.

² Kautsky, no. 342.

³ *Ibid.* no. 366.

⁴ *Ibid.* no. 420. This begins: 'Best thanks for telegram. It is quite out of the question that my ambassador's language could have been in contradiction with the tenor of my telegram. Count Pourtalès was instructed, &c.' In the *White Book* (no. 23) the text begins: 'Count Pourtalès has instructions.'

⁵ *Ibid.* no. 349.

⁶ *Ibid.* no. 352.

⁷ *Ibid.* no. 342.

hours later to the tsar, begging for a direct negotiation between Petersburg and Vienna.¹ Still later the chancellor learned from Count Pourtalès that the Vienna cabinet had categorically declined to enter on this direct negotiation.² In desperation he made that night the bid for English neutrality, which is recorded by Sir Edward Goschen.³ He had apparently little hope that he would succeed, in view of Lichnowsky's last report on the views of Sir Edward Grey. He then telegraphed to Tschirschky in the small hours of 30 July asking urgently that Austria should accept mediation on honourable terms. If she refused, 'we are faced with a conflagration in which England will be against us, Italy and Roumania to all appearance not on our side, and we two shall be facing four great powers'.⁴ The Kaiser sent, on the evening of the 30th, a less strongly worded message (drafted by Jagow) to Francis Joseph. 'I have thought myself unable to refuse a personal request of the Tsar to undertake a mediation, in order to avert a world-blaze and to maintain world peace, and I have allowed proposals to be submitted to your Government yesterday and to-day. . . . I should be thankful if you would give me your decision as soon as possible.'⁵ But Francis Joseph replied on 31 July that he had already ordered a general mobilization, as a reply to the Russian decree ordering mobilization on the Austrian frontier.⁶ This was apparently accepted at Berlin as Austria's final answer;⁷ Berchtold's acceptance of mediation on the same date, though duly telegraphed to Berlin, was disregarded there.⁸

In reference to these last peace-moves Dr. Barbagallo quotes the very curious warning which Jagow had given, in a personal conversation, to Count Szögyeny on 26 July:

In the next few days English proposals of mediation will be brought, through the agency of the German Government, to the knowledge of the Austro-Hungarian Foreign Office. The German Government gives the most precise assurance that it does not adopt these proposals as its own, that it is decidedly averse to their being taken into consideration, and that it transmits them solely to comply with England's request . . . it being of great importance that, at this moment, England should not make common cause with Russia and France.⁹

Jagow has denied that he sent such a message. But, true or false, it was received by the foreign office at Vienna, and the language of the Kaiser's telegram to Francis Joseph was not calculated to dispel belief in the report of the Austrian ambassador at Berlin.

¹ Kautsky, no. 359; *White Book*, no. 22.

² Kautsky, no. 365.

³ *British Blue Book*, no. 85. This interview took place after a council meeting at Potsdam, of which we have the report (misdated 30 July) in Kautsky, no. 456. See Barbagallo, p. 83.

⁴ Kautsky, no. 395.

⁵ *Ibid.* no. 437.

⁶ *Ibid.* no. 482.

⁷ *Ibid.* nos. 502-3.

⁸ *Austrian Red Book* (1914), no. 51.

⁹ *Austrian Red Book* (1919), ii. 68.

The message from Bethmann-Hollweg rings more sincerely and can hardly be taken as anything else but a belated peace-move.¹ It is most curious that, on the very day when the chancellor made this effort, Jagow, who must have been working in the closest touch with him, curtly rejected the last overture from Sazonof as 'unacceptable' instead of endeavouring to gain time by making it a basis for further conversations.² Jagow, as we have seen, was on the best of terms with the general staff, and probably was not at all averse to expediting the declaration of war, which the chancellor, to the great disgust of the staff, had held up on the 29th.

For a long time we have been hearing dark hints that the Russian Orange Book is totally tendentious and misleading. Of late it has been openly and severely criticized in a pamphlet prepared by Baron Romberg, formerly German minister at Berne.³ The English translation of this pamphlet is furnished with a foreword by Mr. Gooch, who, while declining to accept all the conclusions of Baron Romberg, definitely endorses the main thesis, that some of the telegrams passing between Paris and Petersburg were garbled and others suppressed, with some sinister intention, by the editors of the Orange Book. 'We notice', writes Mr. Gooch, 'that these alterations and omissions were governed by a definite propagandist purpose; and we conclude that the instructions to the editors were to eliminate the passages which suggested a readiness on the part of the central powers, or an unreadiness on the part of Russia, to compromise.' This is a serious charge, and we regret that Mr. Gooch has not supported it by specific instances. As regards the so-called 'suppressions' we can only conclude that Mr. Gooch has adopted as his own the rather surprising principle of criticism which Baron Romberg has formulated in his introductory chapter. Baron Romberg has obtained (he does not say how) a complete file of the communications which passed between Petersburg and the Russian embassy in Paris from 24 July to 2 August. He points out that thirty of these communications are missing in the Orange Book, and he alleges that the omissions were made with a fraudulent purpose, of which he finds confirmatory evidence in the omission of the reference numbers of those that are actually printed. Dr. Romberg must be aware that there is a perfectly legitimate reason for suppressing in official publications the index numbers of documents which have been transmitted (as these were) in

¹ Cf. the penetrating discussion of this subject, written before the evidence was fully available, in Mr. J. W. Headlam Morley's *The German Chancellor and the Outbreak of War* (1917).

² *Russian Orange Book*, no. 63.

³ *Falsifications of the Russian Orange Book* (Engl. trans., 1923).

cipher. The only way of proving his point is to show that the publication of the omitted documents would have convicted the Russian government of dishonesty in one form or another. This Baron Romberg attempts to do in the foot-notes to the new documents, which he has printed in full. Some of his texts have a certain historical interest. We find, for example, the German ambassador alleging to M. Bienvenu-Martin that 'Germany was not in a position to exert pressure on Austria', and 'had not been informed in advance of the contents of the Austrian note' (p. 37). We find the French government urging Sazonof on 30 July to make his military preparations 'as little public and challenging in character as possible', evidently under the impression that war might still be averted (pp. 48-9). We hear of Viviani prohibiting on 29 July a meeting of the revolutionary party to protest against a war with Germany (p. 46). We find Poincaré warning the Russian ambassador on 1 August that there ought to be no delay in offering Transylvania as the price of assistance from Roumania (p. 60). Damaging disclosures there are none. Historians will be grateful to Baron Romberg for providing texts of twenty-five new documents. But they are not likely to be impressed by his editorial notes. In the Orange Book some of the texts have been curtailed or paraphrased. The reason for taking such liberties is sometimes obvious and innocent; as when passages are suppressed which reflect, perhaps too hastily, upon the discretion of the much-trying Bienvenu-Martin. In other cases the alteration (or omission) is rather childishly tendentious, as when the editors write 'notre mobilisation' instead of 'notre mobilisation générale' in a telegram (from Sazonof) of 2 August.¹ The editors were not as honest as they should have been; but the impression which we derive from the revelations of Baron Romberg is that Russia had nothing of any moment to conceal.

It appears that Baron Romberg is still obsessed with the myth of a Franco-Russian *guet-apens*, of which Germany was the innocent victim. We can trace the same obsession in the more temperately worded memoirs of Baron Schoen, formerly German ambassador in Paris. He was evidently not in the confidence of his government, and was disagreeably impressed by some of the messages which he was instructed to deliver in the course of the crisis. It seems to have been in the most perfect good faith that he attempted to pour oil on the troubled waters at Paris by pacific (and unauthorized) assurances; and he feels profoundly mortified to find himself treated in the French Yellow Book as a smiling villain. But still, as a loyal German he is anxious to make the best case he can for the good intentions of

¹ *Orange Book*, no. 78; Romberg, p. 61.

Bethmann-Hollweg and the Kaiser. His line of argument is that Russia was the aggressor and France an accomplice who tried to protract the negotiations so that Russia might have time to complete her secret preparations. His clinching argument is unfortunate. 'It is certain that the French Ambassador in Petersburg had been specially informed by the Russian Government of the decision to order general mobilization, on the evening of the 29th.' But what M. Paléologue actually reported on that date, in two separate telegrams, was the order to mobilize thirteen army corps against Austria.¹

The dates of the mobilizations continue to afford material for controversy. Baron Schoen derives some satisfaction from the circumstance that Germany mobilized about twenty minutes after France. MM. Bourgeois and Pagès have carefully examined the evidence as to the progress of the Russian mobilization, coming to the conclusion that, even if we accept the 'revelations' of Russian officials in 1917 and 1918, there was no secret mobilization before 30 July, and that the German general staff, even so late as 31 July, when they insisted on sending an ultimatum to Petersburg, had only hearsay evidence to go upon.² It would, however, be more to the point to ask why Russia should not mobilize in the situation which was created by the Austrian note to Serbia, and by the subsequent conduct of Austria and Germany; and how Russian statesmen would have justified their conduct to their own people if they had failed to ensure that their military preparations kept pace with the gravity of the crisis.

The Russian tsardom has fallen, and even among Russians it has few defenders left. Therefore it is highly convenient to make imperial Russia the scapegoat when war responsibilities come up for discussion. This is a judgement on which the surviving belligerents can agree without any loss of self-esteem. It is consequently the favourite view of those who are still concerned to defend the German foreign office and the ministry of Bethmann-Hollweg. It leads, in apologetic works, to the plea that Germany—otherwise the civilian ministers of the German empire—did not 'will' a world war, but blundered into it. This plea is confidently accepted by Mr. Gooch, who holds that it is proved beyond dispute by the evidence of the Kautsky documents.³ From first to last, he thinks, the German foreign office was sincere in its desire to 'localize' the conflict. No doubt this was the most desirable issue. But Jagow, the secretary of state for foreign affairs, was perfectly aware that a war with Russia was within the range of probability. His private letter of 19 July to Lich-

¹ *French Yellow Book*, no. 91; Romberg, p. 41.

² *Origines de la Guerre*, pp. 38, 135-8. Cf. Barbagallo, pp. 142, 148.

³ In *Journal of the British Institute of International Affairs*, ii. 12.

nowsky is an illuminating document. He professes to hope that Russia will give way, after a certain amount of blustering, if Austria stands firm and Germany is staunch in supporting Austria. But he himself has stated since that he wrote thus 'to steel Lichnowsky's nerves'.¹ What follows in the letter is the downright military view of the situation. Russia is preparing for a war some years hence, when she will be stronger than at present and the German group will be weaker. Sazonof's government is peaceably minded and not ill-disposed to Germany, but it is growing weaker, and the Slavonic party steadily becomes more anti-German. 'I do not want a preventive war, but if the clash comes, we ought not to wriggle out of it.'² For years this policy of a preventive war, which should cripple Russia for a generation, had been advocated by the general staff. It was repudiated by Bismarck as thoroughly unsound. But, with the increasing weakness of Austria, it came to be regarded by Bismarck's successors as a policy which should at all events be studied and held in reserve. Bethmann-Hollweg may well have been appalled at the eleventh hour, when that policy seemed to have become the only resource, and all the consequences dawned upon him. But his foreign office was not taken by surprise in the same way. It was prepared for the possibility of war with Russia; it knew that this meant also war with France. And to speak of a continental war on this scale as 'a localisation of the conflict' is absurd. H. W. C. DAVIS.

¹ In the *Norddeutsche Allgemeine Zeitung* for 23 March, 1918. Translated in *Disclosures from Germany*.

² Kautsky, no. 72.

Notes and Documents

Henry FitzHenry at Woodstock

As new light upon the court and movements of Henry Fitz-Henry is still needed, the following charters, which Miss Dorothy Powell kindly transcribed for me at Tours, deserve attention. It would seem from them that Ralf de Diceto,¹ whose view Mr. Eyton accepted,² was right in thinking that the young king was at Woodstock in the early part of December 1170, because the corresponding agreement between Gervase, son of the grantor, and the monks of Tickford, actually filed with these two charters and amplifying their terms, stipulates that the monks shall have the crops 'tribus annis scilicet a proximo pascha post mortem Thome cantuariensis archiepiscopi'; the agreement was therefore probably executed between 29 December 1170 and 28 March 1171. As against this view Dr. Round³ pointed out that the young Henry was at Westminster on 5 October and at Winchester on 25 December; but there is ample time for him to have taken Woodstock and Windsor on the road. 'The two inseparable archdeacons' seem for once to have parted company; of the other witnesses to the first charter, William de St. John and William fitz Audelin occur in the Winchester charter by Earl William de Mandeville, on which Dr. Round based his criticism of Eyton.

The witnesses to the second are the same as in the first charter; and the two charters seem to have been executed successively on the same occasion. The alteration in the style of the recipients for surer title, the equation of a half-hide with two virgates, and the differences in tenure of the virgates, are all points of interest. In the present transcript, capitals have been employed in accordance with modern usage.

G. HERBERT FOWLER.

Archives du Dept. Indre et Loire, Série H, Liasse 362.

Willelmus filius Randulfi omnibus hominibus et amicis suis Francis et Anglis tam presentibus quam futuris salutem Sciatis me dedisse et hac carta mea confirmasse monachis de Niweport ecclesiam de Sirenton' cum

¹ Rolls Series 68, i. 342.

² *Itinerary of Henry II*, p. 152.

³ *Feudal England*, pp. 503-8.

omnibus pertinentiis suis in perpetuam elemosinam liberam et quietam ab omni seruicio seculari et consuetudine Et predicti monachi concesserunt Geruasio filio meo predictam ecclesiam de Sirenton' tenendam tota uita sua de predictis monachis reddendo eis inde xx solidos annuatim Et prefati monachi recipiunt modo dimidiam hidam terre que pertinet ad prefatam ecclesiam Et predicto Geruasio remanet masura et crofta cum domibus cum ecclesia tota uita sua Hanc donationem feci coram Rege Henrico filio Regis Henrici et Baronibus suis apud Wudstokam Testibus

Ricardo Pictauesi archidiacono
Comite Willelmo de Mandeuille
Comite Simone
Comite Willelmo de Ferrariis
Willelmo de sancto Johanne
Geruasio Painello

Willelmo filio Aldelini
Fulki Painello
Thoma de Almari
Godwino clerico de Niwport'
Willelmo de Blossueille

Willelmus filius Radulfi omnibus hominibus et amicis suis Francis et Anglis tam presentibus quam futuris salutem Sciatis me dedisse et hac karta mea confirmasse Deo et ecclesie beate Marie de Tikeford' et monachis Maioris Monasterii ibidem Deo seruientibus ecclesiam de Siringtune cum omnibus pertinentiis suis in puram et perpetuam elemosinam liberam et quietam ab omni seculari seruicio et consuetudine pro salute anime mee et pro animabus antecessorum meorum Et predicti monachi concesserunt Geruasio filio meo predictam ecclesiam de Siringtune' tenendam tota uita sua de predictis monachis reddendo eis inde xx solidos annuatim Tunc prefati monachi receperunt duas uirgatas terre que pertinent ad prefatam ecclesiam Unam uirgatom uidelicet solutam et quietam ab omni seruitio seculari et consuetudine Aliam uero liberam et quietam ab omni terreno seruicio et exaccione quantum ad me pertinet saluo regis seruitio Predicto autem Geruasio remansit et crofta cum domibus et cum ecclesia tota uita sua Hanc donationem feci coram Rege Henrico filio Regis Henrici et Baronibus suis apud Wudestoche Testibus

The General Eyres of 1329-30

ON 3 September 1329 commissions for the holding of a general eyre were issued, the one to Geoffrey le Scrope and his fellows for the Monday after All Saints at Northampton, the other to William Herle and his fellows for the Monday after Martinmas at Nottingham.¹ Orders were sent to the sheriffs to make preparations locally, to the king's serjeants to be ready to plead his pleas, to the treasurer to hand over the rolls of the last eyres in those counties, and to the chief justice of the common bench to adjourn all pleas concerning those counties to the eyres.² The whole vast machinery of a general eyre had been set working, and this after an almost complete intermission for a generation. There is no evidence for the holding of more than two eyres in the whole

¹ *Calendar of Patent Rolls*, p. 439.

² *Ibid.* pp. 492-3.

reign of Edward II: the famous Eyre of Kent of 1313, and the almost equally famous Eyre of London in 1321. There is positive evidence that no eyre had been held in Northamptonshire since 1285,¹ or in Nottinghamshire since 1280.²

In the records no explanation is given of this return on the part of the new government to the practice of Edward I. In the reports, however, are preserved accounts of two speeches by the two presiding justices which not only clear up a point in the history of the general eyre as an institution, but also throw some light on the general administrative history of the opening years of Edward III's reign. So far as I know, these speeches have never been printed, and the incidents they describe are not noticed in any of the chronicles or records of 1327-30.

The first point that calls for comment is that such speeches should have been made or reported at all. It has been suggested that the speech made by the presiding justice at the opening of the eyre was practically a 'common form', that varied very little from the time of Henry III to that of Edward III.³ One report of Scrope's speech is of this type,⁴ and it is possible that variations from the standard did not as a rule seem important to the student of law, but happily some of the reporters at Northampton, and at least one at Nottingham,⁵ found it worth while to give fuller versions, perhaps from that growing literary or dramatic sense which is traceable in the fourteenth-century reports,⁶ perhaps because Scrope's speech purported to give an outline of the history of the eyre, which in 1329 must have been almost as much of an antiquity to the budding lawyer as presentment of Englishry.⁷ For most of those present at Northampton and Nottingham it must have been the first eyre of their lives; an historical discourse might well seem appropriate.

In the next place, Scrope's speech contains the statement that has haunted the text-books for centuries and perplexed so many modern scholars, namely, that in the good old days the eyres went every seven years. Britton had put into the mouth of Edward I the command that justices itinerant should be assigned to hear the articles of the eyre every seven years;⁸ Scrope

¹ Assize Roll 632.

² Assize Roll 683.

³ W. C. Bolland, *Eyre of Kent* (Selden Soc.), I. xxvi.

⁴ Rylands MS. 180, fo. 1 b. Cf. Staunton's speech in *Eyre of Kent*, i. 2.

⁵ Of seven reports of the Eyre of Nottingham which have been examined, only the Cambridge manuscript given below includes the speech.

⁶ I am indebted for this suggestion to Mr. H. G. Richardson.

⁷ In the Eyre of Nottingham 'Russel pria qe les justices les voleit encenser coment il deuent presenter [englescherie], car il dit qe le temps fut taunt passe puyz ceo qil auaynt presente qil ne sauaynt coment ceo dust estre. *Herle* Nous ne sumes pas venutz ces pur vus aprendre coment vous devez presenter. . . e il ne les voleit pas dire' (Cambridge University Library MS. Hh. 2. 4, fo. 266).

⁸ Britton (ed. Nichols), p. 3.

definitely says that they went throughout the realm every seven years. 'En temps des progenitours cesti Roy Eyres soleient estre de sept aunz en sept aunz par tut le Roialme.' And this in spite of the fact that he had in his possession the rolls of the two last Northamptonshire eyres, for 1269 and 1285, when if Edward I had really observed the seven-year rule there should have been rolls in existence for 1292, 1299, and 1306. Only of the reign of Henry III is such a statement approximately true.¹ But this passage is the source of Selden's dictum to this effect in his *Notes upon Hengham*, 'So seies Scrope in *temps E. III*' ;² and later historians have taken it from Selden.

The chief interest of Scrope's speech, however, which it shares with Herle's, lies in the fact that it professes to describe a concerted policy carried out, if not by the ill-famed Mortimer, at least under his auspices, to restore peace and order to England. There are four features of this policy : first the appointment of guardians of the peace, secondly the passing of strict laws against highway robbers, armed gangs, and maintainors, thirdly the appointing of justices of oyer and terminer with a new and comprehensive commission, and lastly the initiation of a general eyre. For all these measures we are to see the parliament of Northampton of April-May 1328 as the focus ; the parliament whose work in ratifying the unpopular Scottish peace seems for most contemporary and later historians to have obscured the importance of its police legislation, though in later years the Statute of Northampton was to form the second chapter, so to speak, in the code administered by the justices of the peace.

The first step taken by the new government, the appointment of guardians of the peace throughout the realm, was not the new device which Scrope's speech would seem to suggest. The Patent Rolls of Edward II's reign³ are widely sprinkled with commissions to *custodes pacis*, and with mandates to them to enforce the Statute of Winchester, and at less frequent intervals recur commissions to justices of oyer and terminer for the punishment of those 'vagabundos, vulneratores, verberatores et manutenores' whom the guardians of the peace had, in theory at least, committed to jail. *Custodes pacis* had been appointed for the whole country in the spring of 1326,⁴ and justices of oyer

¹ It seems probable that there were eyres in Northamptonshire in or about the following years : 1232, 1239, 1247, 1253, 1261, 1269. See *Oxford Studies in Legal and Social History*, vi. 106-10.

² *Notes upon Hengham* (ed. 1616), p. 143. It is worth noting that Selden appends to this statement the reference *fo. 143 a*, and that in Egerton MS. 2811 the note *Kel 143 a* is written by a later hand in the margin opposite these words of Scrope. No manuscript that I have examined fits the reference.

³ *Parliamentary Writs*, II. ii, part 2, *passim*. Dates 1307-26.

⁴ *Ibid.* p. 282.

and terminer in the autumn¹, though the latter commission had been revoked by Edward II 'for certain causes' on the eve of his downfall.² But disorder still prevailed. Scrope's picture of the complaints from all quarters is corroborated by the wording of the petition presented in Edward III's first parliament of January-February 1327 at Westminster, 'La commune prie sovereigntyment qe bones gentz et leaux soient assignez en chescun cunte a la garde de la pees qe ne sount maintenours de mausbaretz en pays et qil eient power de chastier les mesfesurs solom ley et resun'.³ From the popular point of view the *custodes pacis* were unsatisfactory because they had no power to punish, but only to inquire, to detain, and to send up reports to Westminster.⁴ The Statute of Westminster provided for the appointment of good men and lawful to keep the peace in each county,⁵ and the appointments were made before the parliament was fairly over.⁶ But the powers of the new *custodes* were no greater than those of the old, and soon further steps had to be taken.

On 24 April 1328 a parliament was opened at Northampton in the course of which various measures were passed for the better keeping of the peace. Armed and mounted men were not to be present when justice was being done by any of the king's justices or ministers, or in fairs or markets, and the officials of shires, franchises, and boroughs were to enforce this.⁷ Justices assigned to inquire into the keeping of the Statute of Winchester were to have power to punish and not merely to report to the king in parliament 'whereof no man hath yet seen any issue'.⁸ Lastly, justices were to be assigned 'as in the time of the king's grandfather' to inquire, both at the suit of the king and of the party injured, into all manner of felonies, robberies, homicides, conspiracies, and oppressions, done both by ministers of the king and by others, and to inquire into the misdeeds of sheriff and other officials and to punish them.⁹ These terms and the reference to Edward I recall the Statute of Rageman, and the scope of activity of the justices as well as the procedure sketched are those of the eyre, yet on the whole it seems that the promise of this clause of the statute was fulfilled in the commissions of oyer and terminer issued on 15 May,¹⁰ the day that the parliament rose. Four different groups of judges, men 'skilled in the law'¹¹

¹ *Parliamentary Writs*, II. ii, part 2, pp. 287, 291.

² *Ibid.* p. 294 (2 October 1326).

³ *Rot. Parl.* II. 11.

⁴ e.g. 'De toto vero facto in hac parte et de nominibus malefactorum predictorum consilium nostrum apud Westminster distincte et aperte de mense in mensem per vestras literas certioretis' (*Parl. Writs*, II. ii, part 2, p. 75).

⁵ 1 Edw. III, st. 2, c. 16.

⁶ *Cal. Pat. Rolls*, pp. 88-90 (8 March 1327).

⁷ 2 Edw. III, c. 3.

⁸ 2 Edw. III, c. 6.

⁹ 2 Edw. III, c. 7.

¹⁰ *Cal. Pat. Rolls*, p. 297.

¹¹ e.g. Wilughby, Toutheby, Herle, Denum, Mutford, &c.

as the statute had said, were dispatched to the different counties of England to inquire into and punish breaches of the peace. If the commission be compared in detail with those of the previous reign it will be found to be the completest yet issued. The commissions of 1320, issued in response to a petition from the knights and burgesses, had anticipated many of its features, including the authorization of procedure by bill,¹ but though special inquiries into the conduct of officials had been held by justices assigned in the past,² it was a new thing for all these powers to be held by the same justices. The extent of the work involved may be gauged from the bulk of the records extant for Lincolnshire,³ one of the five counties assigned to Stonore, Cantebriſſ, and their fellows. Inquiries were made into the oppression and extortion of sheriffs, coroners, sub-escheators, and their clerks, bailiffs and their servants, constables and keepers of prisons and bailiffs of liberties with their underlings. Scrope and the other justices of the king's bench had a similar commission for every county in which they might hold the pleas *coram rege*.⁴ By these means arrears were to be cleared up, and offences previous to May 1328 punished. Other measures were taken later in the year to enforce the new statute. On 16 September the sheriffs throughout the country were ordered to make proclamation of the clause forbidding assemblies of armed men, and to arrest offenders against it.⁵ On 10 November renewed commands were sent to all sheriffs to enforce the statute, and on 11 November they were ordered to hold inquests into the names of offenders and to send the returns duly sealed to the king.⁶ In like manner inquests had been held into the keeping of the Statute of Winchester under Edward I.⁷

We may now turn to the account of these matters given in the reported speeches of the justices. Herle's account, though less circumstantial than Scrope's, is clearly more correct. He omits all reference to the guardians of the peace, assigns the appointment of justices of oyer and terminer to the parliament of Northampton, and the decision to hold a general eyre to the council at Windsor to which Scrope also refers. Of this council, summoned for the morrow of St. Mary Magdalen (22 July 1329),⁸

¹ 'Dicti iustitiiarii recipiant querelas omnium et singulorum coram eis conqueri volencium de transgressionibus eis factis contra pacem Regis et eas audiant et terminent et eis iusticiam faciant per billas sicut per brevia Regis' (*Parl. Writs*, II. ii, part 2, p. 155).

² *Ibid.* pp. 135, 154, 161, 287.

³ Assize Roll 516 (60 ms.).

⁴ Patent Roll, 2 Edw. III, part 1, m. 7 d.

⁵ *Cal. Close Rolls*, p. 413. The date is incorrectly printed 16 October.

⁶ *Ibid.* pp. 420-1.

⁷ *Parl. Writs*, i. 388-9 (20 January 1287).

⁸ Close Roll, 3 Edw. III, m. 18 d. Printed *Report on the Dignity of a Peer*, iv. 390.

we have the writs, the terms of which go to confirm the account in the reports.¹ The *colloquium* in question was to be held 'touching the tranquillity and quiet of our people'—the conventional phrase for police concerns. It is noteworthy that the proportion of lawyers summoned is high. Thirteen judges or counsel at least are named,² and eight of these had been summoned to no previous council or parliament for which the writs are extant. Three of these new-comers, like Scrope himself, had been on the commissions of 15 May 1328; whilst there were seven *custodes pacis* of the years 1327-9 amongst the other magnates summoned to Windsor. At this council, according to one report of Scrope's speech,³ complaints were made 'more straitly than before' as to the violation of the peace; the king applied to the magnates there assembled for a remedy, and at their suggestion ordained a general eyre, for two circuits, north and south of Trent,⁴ to begin at the county of Northampton, 'because it is in the middle of the kingdom'.⁵ According to another version of Scrope's speech,⁶ however, the decision to hold an eyre was made 'in full parliament, with the consent of the commonalty of the realm', and the provision for the eyre is linked on to a promise of the magnates not to maintain the causes of indicted persons. Just such an undertaking on the part of the king and the magnates is included in chapter vii of the Statute of Northampton, which defines the very extensive functions of the justices sent out in 1328. It seems highly probable that the pros and cons of a general eyre had been discussed at Northampton, whether or no chapter vii of the statute was intended to cover one. Even before this an eyre had actually been proclaimed for January 1328 at Canterbury,⁷ and had only been revoked at the last moment⁸ because so many of the magnates bound to attend it were also due at the parliament at York in February, and the king had declared that he could by no means dispense with the presence and counsel of the justices of the eyre—Geoffrey le Scrope, Stonore, Friskenev, Wilughby, and Bereford—in the said parliament.⁹ The idea of holding a general eyre cannot therefore

¹ 'Quia super magnis et arduis negotiis nos et statum regni nostri ac tranquillitatem et quietem populi eiusdem regni intime contingentibus vobiscum et cum ceteris . . . prelatiis magnatibus et proceribus dicti regni die dominica in crastino sancte Marie Magdalene proximo futuro apud Wyndesore colloquium habere ordinavimus et tractatum. . . .'

² Geoffrey le Scrope, Herle, Malberthorp, Wilughby, Travers, Henry le Scrope, Wodehous, William de Denum, Cantebrigg, Aldeburgh, Middelton, Baynard, Oliver de Ingham.

³ See below, I.

⁴ See below, III.

⁵ See below, II.

⁶ See below, III.

⁷ *Cal. Close Rolls*, p. 189 (4 December 1327).

⁸ *Ibid.* p. 244 (17 January 1328).

⁹ Scrope is the only one of these justices whose name is recorded as having received a writ of summons to the parliament of York (*Report on Dignity of a Peer*, iv. 381).

have originated at Windsor in July 1329, though there seems no reason to doubt the statement that a final decision was taken there.

In spite of probable errors¹ and manifest inconsistencies, then, these reports have an historical value as evidence of a conscious and continuous policy of which the revival of the moribund institution of the eyre is one feature. Herle and Scrope appear to have followed some agreed outline in making their speeches. The reports are also of interest in affording some supplementary evidence of the close connexion between the eyres of 1329-30 and the Statute of Northampton. From the eyre rolls it was already clear that new articles of the eyre were being administered at Northampton, Nottingham, and Derby, but only headings, not the full text of these new articles, were quoted on the record. The reports give two versions of these new articles, one in Latin and one in French. The Latin version is written on the back of the last page of a report of the Nottinghamshire eyre and it seems to be in the same hand as the report. The French version is an integral part of the report of the Northamptonshire eyre. Both versions are printed below, and illustrate the close connexion with legislation which characterizes the articles of the eyre from 1272 on. The first of the *Novi Articuli* in the Egerton Manuscript, the first of those in French in the Lincoln's Inn and Additional Manuscripts, is based upon the Statute of York of 1318 and had been administered in the London eyre of 1321. The four Latin articles that follow in the Egerton Manuscript refer explicitly to the Statute of Northampton and are based on chapters iii and iv of that statute. The French articles in the other versions follow the wording of the statute closely, though not mentioning it by name; the first and second are based, like the Latin ones, on chapter iii, the third on chapter xv, and the last on chapter xiv, though on that part of it which is not covered by the third and fourth Latin articles. It is possible, though not probable, that different articles were administered at Nottingham and Northampton, or, again, both versions may be incomplete, as both, of course, are unofficial.² Some of the articles had very likely been administered in the local inquests of the autumn of 1328.

The reporter of the Tanner Manuscript (III) makes Scrope declare at Northampton that the eyre was to be carried from county to county throughout the realm. So far as the evidence goes, only four counties were duly visited, Northamptonshire, Bedfordshire, Nottinghamshire, and Derbyshire; in Kent an eyre

¹ I, below, assigns the appointment of guardians of the peace to the parliament of Westminster, not Northampton.

² The French version seems the more reliable of the two.

was begun but not carried through.¹ The policy of the first parliaments and councils of the reign was not abandoned, but modified; the eyre, it would seem, was eliminated from the programme and other and newer means adopted. The statutes made at Westminster in November 1330 indicate this change. Justices of assize and of jail delivery are to go on circuit three times in the year, and the authority of the guardians of the peace is more clearly defined,² and more significant still, justices of the bench and of assize shall have power to inquire concerning maintainors, conspirators, and all such folk 'as well as justices in eyre should do if they were in the same county'.³ The Statute of Westminster in 1331 augments the powers of justices of jail delivery to deal with robbers and disorderly persons,⁴ and finally in 1332 comes the statute which at once indicates the eventual solution of the problem and meets the point of the petitioners in the first parliament of the reign. 'Q'en chescuns Counte d'Engleterre soient des plus Grantz de mesme le Counte assignez Gardiens de mesme le Counte par Commission le Roi. . . . Et eient les ditz Grantz poer d'oier et terminer auxibien felonies faites par ceux qi sont issint a arester et prendre, come par ceux qi serront enditez devant eux.'⁵ The transformation of the guardian of the peace into the justice of the peace, with power to hear and determine, was, with the extension of the functions of the justices of assize, to provide the efficient substitute for the inefficient general eyre. No complete general eyre was held after 1332.⁶

The relation of this episode in administrative history to contemporary politics⁷ must be largely a matter of conjecture. In the five years which it covers, two *coups d'état* occurred, but they do not seem to have caused any breach of continuity in administrative policy. It is tempting to associate the experiment of the revival of the eyre and the abandonment of that experiment with Sir Geoffrey le Scrope, chief justice under Edward II, under Isabella and Mortimer,⁸ and under Edward III, confidential

¹ Assize Roll 389. An eyre in Durham was also projected, but revoked in consideration of a payment from the men of the liberty (*Cal. Close Rolls*, 1333-7, pp. 138, 182).

² 4 Edw. III, c. 2.

³ 4 Edw. III, c. 11.

⁴ 5 Edw. III, c. 14.

⁵ *Rot. Parl.* ii. 64. As Dr. Beard has pointed out (*Office of Justice of the Peace*, p. 38), we have here a perfectly regular statute, and it is cited as such on the *Patent Roll* (*Calendar*, p. 298), though it is not to be found on the Statute Roll. Proceedings on a commission issued under this statute are recorded, Assize Roll 520 (1333).

⁶ The Eyre of Kent, begun in 1333, was abandoned half-way, as was the Eyre of London of 1341.

⁷ Mr. Mackinnon, apparently the only political historian who alludes to the subject, says, 'Mortimer had tried to restore order, but . . . it was only after his fall that Edward III made his strong will felt in the enforcement of obedience to authority. . . . At his instigation Parliament in the session of March 1332 dealt with the rampant lawlessness' (*History of Edward III*, p. 46).

⁸ Scrope appears to exercise his functions as chief justice without a break, as well

servant of both father and son,¹ presiding justice at Northampton and prolocutor of the four parliaments of 1332.² His continuance in office under two revolutions offers a striking parallel to the continuity in administrative policy ; he was summoned to every one of the seven councils or parliaments held from 1327 to 1330 ; the allusions in his speech at the eyre to the time of the king's grandfather are paralleled in the Statutes of Northampton, and it was he who expounded the whole matter in the parliament of 1332 that took the decisive step of giving the guardians of the peace judicial powers. It is even conceivable that it was his indispensability as the king's right-hand man that led to the abandonment of the experiment of general eyres, as it had led to the abandonment of the Kentish eyre of 1328. However that may be, his speech at Northampton and Herle's at Nottingham constitute a definite addition to the history of the decline and fall of the general eyre.

HELEN M. CAM.

MANUSCRIPTS OF THE EYRE OF NORTHAMPTON

British Museum : Egerton MS. 2811, fos. 243-336 d. Additional MS. 5924, fos. 1-28. Additional MS. 24063, fos. 1-25 d.

Bodleian Library, Oxford : Tanner MS. 13, fos. 311-413.

Lincoln's Inn : MS. 137 (1), 47 folios, followed by Eyres of Nottingham, Derby, and Bedford. MS. 137 (2), fos. 241-90.

John Rylands Library, Manchester : MS. 180 (English 239), fos. 1-53 b.

The following manuscripts of the Eyre of Nottingham have been examined, but only the first contains Herle's speech :

Cambridge University Library : MS. Hh. 2. 4. MS. Hh. 3. 9.

British Museum : Egerton MS. 2811. Additional MSS. 5924, 5926, 34789.

Lincoln's Inn : MS. 137 (1).

A. SCROPE'S SPEECH

I

Lincoln's Inn MS. 137 (2), fo. 243 d, collated with Lincoln's Inn MS. 137 (1) and Egerton MS. 2811, fo. 243 d, with which it is practically identical. The punctuation has been added.

Et puis sire G. dit : Beaux seignurs, les uns de vos qestes cy venuz savez [*sic*] Seuent la cause pur quey cest Eyr est ordeyne, et plusurs ne mye ; par qi a parlement dreyn tenu a Northampton pleintz vindrent a notre seigneur le Roi de totes costes de Roialme, qe le peuple fut si malement demene par diuers oppressions des grauntz, et par extorcion de meintenurs et duresses des baillifs, et homicides et larcyns faitz de tut partz en le Roialme, de quoi plusurs de totes partz qi se sentirent grauez prirent de ceo [eide et]³ remedie. Les pleintz oyz, le Roi et les grauntz

before as after the pardon of 1 March 1327 (*Cal. Pat. Rolls*, p. 28). Foss, in his *Judges of England*, gives an erroneous account at this point.

¹ See J. C. Davies, *Baronial Opposition to Edward II* ; *Parl. Writs*, II. iii, Alphabetical Digest ; N. Harris Nicolas, *Scrope and Grosvenor Roll*.

² *Rot. Parl.* ii. 64, 66, 67, 69.

³ The words within brackets are taken from Lincoln's Inn MS. 137 (1).

a ces parlement esteauntz par comune assent ordinerent de tute partz en le Roialme en checun counte gardeyns de la pees, de tiels tortz et trespas homicides et [felonies]¹ redrescer. Nyent aresteaunt la dite ordinance, al conseil le Roi tenuz a Wyndesore, ou assemble furent touz les grauntz de la terre, les pleintz² de tote partz vindrent au Roi de meffetz auantditz plus estreitement qe auant ne fesoient, priauntz des meffez³ remedy; par qi le Roi pria a touz qi illeusques furent assemblez qe eux ordynereient voie coment la pes de sa terre put meu estre salve et garde, et coment tiels meffes en meillour manere purent estre redresse. Entre queux cest choses furent parlez et debatuz, et monstre fust illeusqe qe la pees ne fut mye bien garde et meyntenu com auant ces temps auoyt este en temps des altres Rois; pur ceo qen temps des progeniturs cesti Roy Eyres soleient estre de sept aunz en sept aunz par tut le Roialme, par queux la pees de la terre fut bien meyntenu et garde et droit fait as riches et as pources. Par qi grauntz illeusques assemblez [assentiront qe Eyre seroyt par tote la terre, sur qi la comune illeoques assemblez pria al Roy]⁴ qil voleit a ceo acorder, par qi la pees de sa terre put estre salve et garde et les ditz meffetz et trespas estre redresces; et le Roy a lour request a ceo acorda. Par qi entre vos grantz, nos vos chargoms de par le Roi, et prioms, com a vos seignours et amiz, qe vos ne sustinez meyntenours des malueise quereles ne gentz rettez de malueise fame, mes qe vos soiez eydauntz [et consaillant]⁵ qe la pees nostre seignur le Roi soit garde, et qe les ditz meffesours soient puniz, issint qe cours de loy se face come auant ces hures fut fait par reson del Eyre auant dit.

II

Add. MS. 5924 (British Museum), fo. 1 d.

Et puis dit sire G. la cause pur qoi le Eyre fut ordine en parlement a Norhamton et a Wyndesore par comun conseil, pur ceo qe la pees de la tere ne fut pas tenue com deuoit estre et soleit en temps de progenitours le Roi, qant les Eyres furent tenuez de vij aunz en vij aunz. Pur qoi le Roi a donqe ordine ceste Eyre, solom les articles adounqe ordenez, et solom lestatut auaunt fait, et comence en ceo counte pur ceo qe cest en millewe de son realme etc.

III

Tanner MS. 13 (Bodleian Library), fo. 312.

Scrop reherca la manere coment le Roi en plein parlement, par commun assent des prelatz et des touz les grauntz du Realme et de tute la comunalte, auet grante, por establissement de la pees, Eir par mi tut son realme: cest assauer, un pair des Justices de cea Trente, et altres de la, a errer de counte en counte par tut le realme; et coment les grantz granterent al Roi qe nul hom endite ou en tagle ne sereit par euz meintenuz contre la lei.

¹ From Lincoln's Inn MS. 137 (1); 137 (2) repeats *homicides*.

² Lincoln's Inn MS. 137 (1) reads *pleintifs*.

³ Lincoln's Inn MS. 137 (1) reads *meffesantz*.

⁴ The words within brackets are taken from Egerton MS. 2811. Lincoln's Inn MS. 137 (2) omits the reference to the commons and merely has *prierent au Roi*.

⁵ The words within brackets are taken from Egerton MS. 2811.

B. HERLE'S SPEECH

Cambridge University Library, MS. Hh. 2. 4, fo. 265.

E puyz Herle dit qi la cause de cest eyre fut qi la comonalte de la terre, a parlement le Roy tenuz a Northampton, mist petition qi la pes de sa terre ne put pas [estre] tenuz ne meyntenuz come estre dut. Sur qi le Roy e son counseyl ordina qi certeynz justices fussent assignez en checoun counte denquer de checoun maner de felonyes &c e transgressions a la suyte de Roy e des autres, e a oyer e terminer &c. E puyz apres, a counseyl le Roy tenutz a Wyndesore, autre petition fut mys de par la comune e par default qi lour primer request se mustra pas en ouer', ou cest petition fut moustre a les graunz de la terre, ou assentuz fut par touz qi, pur la pes de la terre sauver, qi justices furent assignez de eyrer par tut la terre; issint qi le Roy, taunt com en luy est, ad oy votre petition, e nos ad assignez de tenir cest eyr, e a moustrer qi notre pouer est tiel, e qi nos auons pouer a tenir totez maners des pleez.

C. THE 'NEW ARTICLES' OF THE EYRES OF 1329-30

(a) *The Latin Version.*

Egerton MS. 2811.

fo. 225 d, 'Incipiunt articuli de Itinere' (Vetera capitula).

fo. 226 (in margin), 'Incipiunt Nova Capitula' (Nova Capitula and Articles on the Statutes down to Mortmain article of 1313).¹

fo. 227, Novi Articuli.

De ministris Regis qui ratione officii sui custodire debent assisam de vinis et victualibus qui marchandizaverunt de vinis et victualibus illis in grosso vel ad retallium dum ad officium illud fuerint intendentes post statutum inde editum apud Eboracum in tribus septimanis Sancti Michaelis anno R. E. filii R. E. xij^o.²

De hiis qui fuerunt armati et cesserunt de nocte vel de die in feriis vel mercatis in praesentia iusticiarum vel aliorum ministrorum domini Regis officia sua facientium vel alibi in terrorem populi vel in perturbationem pacis post statutum apud Northampton inde editum anno R. E. tercii a conquestu secundo. Et qui huiusmodi armatos ceperint quos et quando et quas armaturas et quantum valuerunt.

De vicecomitibus et aliis ministris Regis et dominis libertatum et eorum ballivis et maioribus et ballivis Civitatum Burgorum Constabulariis et Custodibus pacis infra custodias suas qui huiusmodi armatos non ceperint iuxta idem statutum.

De pannis qui ponuntur ad terram quae non sunt ulnerati per ulneratorem Regis in presentia maiorum et ballivorum ubi maior est et ballivorum ubi maior non est per mensuram contentam in eodem statuto.

De maioribus et ballivis ubi maior aut ballivis ubi maior non est in villis aut locis ubi huiusmodi panni venerunt qui non fuerunt parati ad examinacionem facere de huiusmodi pannis temporibus quibus requisiti fuerunt per voluntatem³ Regis absque aliquo capiente de mercatoribus pro examinatione predicta etc.

Expliciunt articuli de itinere anno Regni Regis etc.

¹ For standard version of articles down to 1321 see *Oxford Studies*, vi. 92-101.

² This seems to be the only place where this article is found in Latin.

³ Probably an error for *ulneratorem*.

(b) *The French Version.*

- (1) Lincoln's Inn MS. 137 (1) (no pagination).
- (2) Lincoln's Inn MS. 137 (2) fos. 241-2 d.
- (3) Brit. Mus. Additional MS. 24063, fos. 3-5.
- (4) Harl. MS. 239, fo. 41 b.
- (1) 'Incipit Iter de Norhampton.'
- (2) 'De itinere Norhampton. De articulis Itineris.'
- (3) 'Articuli Itineris Norhampton.'
- (4) fo. 39, 'Hic incipiunt articuli Itineris apud N. anno tercio.'

[Articles up to Mortmain article in Latin : then as follows :]

Dez ministres le Rey en Cytez et en Burghz qi par reson de lour office deuyent garder lassise dez vins et dez vitaillez qi les ount en marchaundise des vins et des vitaille en gros et a retaille tant com eux furent intendedantz au tel office puis lestatut de ceo fait a Euerwyk a iij semaines de saint Michel lan de son reyn xij^{me}.

Item de ceo qui sount venuz deuant les Justices le Roi ou autres ministres le Roi en fesant lour office a force et armes ou ount force mene ou chivauche arme en feyres et en marchez ou aillours en affray de sa pees queux il sount.

Item si Justices le Roi en lour presence vicomtes et autres ministres le Roi en lour baillies seignors des franchises et lour baillifs en yceles et meires et baillifs en citez et en burghz deyns mesmes les citez et Burghz Burghalders conestables et Gardeyns de la pees dedeyns lour gardes eyent fait execution de tiel trespassours solom ceo qest contenu en lestatut queux il sont et qi tiels trespassours ont suffert aler despuniz.

Item des seignors des feyres qen le comencement de lour feyres ne ont pas fayt crier e publier en yceles com longement les feyres se tendront par qi les marchauntz sount illeusques plus longement qe fere ne deuyent par defaute de tiel crie nyent faite et queux il sont.

Item si meire et baillifs des villes eyent fait endentures entre eux et launeour le Roy des drapz forfetz au Roi qi ne sont pas de assise et livre mesmes les endentures chescun an al Eschequer pur charger le dit auneour a respoudre illeusqs des ditz forfeitures qant des draps et le pris de checun.

[In (4) only :] Expliciunt articuli Itineris North.

*Bishop Wakeman's Visitation Articles for the Diocese
of Gloucester, 1548*

THE following set of visitation articles has been discovered since Dr. W. H. Frere and I issued the collection of such documents for the years 1536 to 1575. No explanatory notes are given, because the purpose is served by those appended to the Edwardian visitations in that collection. W. P. M. KENNEDY.

MSS. of the Dean and Chapter of Gloucester.

Articles to be enquired of in the ordinary visitation of the Reverend Father in God John by God's sufferance Bishop of Gloucester, authorized by the King's majesty's supreme ecclesiastical authority 1548.

1. *Imprimis* concerning the abolishment of the pretended power of the Bishops of Rome, and the diligence of all persons &c four times in the year in their sermons &c declaring the same.

2. *Item* that the King's majesty's power in his realms and dominions is the highest power in earth under God.

3. *Item* whether all images, shrines and the like things misused in times past, by the which superstition and hypocrisy crept in divers men's hearts, be clean abolished.

4. *Item* whether all parsons vicars and curates do teach that all goodness health and grace ought to be asked and looked for only of God.

5. *Item* whether all parsons &c have made or caused to be made in their churches, and in every other cure they have, one sermon every quarter of the year at the least, therein purely and sincerely declaring the Word of God, dissuading their hearers to credit any fancy devised by man's tradition.

6. *Item* whether there be any lights used in the church, as set before any image or in any place thereof, otherwise than two lights upon the high altar before the sacrament.

7. *Item* whether all parsons vicars and curates, every Holy day when they have no sermon, immediately after the Gospel openly recite to their parishioners in the pulpit the *Pater noster*, the *Credo* and the Ten Commandments in English, exhorting all householders to teach their children and servants the same.

8. *Item* whether amongst other the King's injunctions all parsons vicars and curates do exhort their parishioners to educate and bring up their children and other youth in some honest art or science, so that always they may be so virtuously occupied that idleness may be eschewed, and, of the contrary, virtue in them may be planted.

9. *Item* whether all parsons vicars and curates have duly and reverently ministered to their parishioners all sacraments: and they being lawfully absent have appointed a learned lawful and honest curate, which hath profited the cure there with competent learning and honest godly example in living.

10. *Item* whether there be now in every church one book of the Bible in English of the largest volume, commodiously set in some part of the church; and whether there be any that have denied interrupted or letted the quiet and sober reading thereof.

11. *Item* whether any parson vicar or curate or any other ecclesiastical person at any unlawful time and not for their honest necessity hath haunted or resorted to any taverns or alehouses, and there by day or by night hath used and accustomed to play at dice cards tables or any other unlawful game.

12. *Item* whether the curate of every parish hath in time of confession duly examined their parishioners whether they can recite the Articles of their faith the *Pater noster* and the Ten Commandments in English.

13. *Item* whether any parson vicar or curate hath admitted any person to preach within any their cures but such as have appeared to them to be sufficiently licensed by the King's majesty, the Lord Protector's grace

or the Archbishop of Canterbury in his Province ; and whether they have interrupted any man so licensed.

14. *Item* whether they do know any person to despise neglect or contemn the King's majesty's injunctions, or is a fautor of the Bishop of Rome's pretended power now by the laws of this realm justly rejected extirped and taken away utterly.

15. *Item* whether the book commanded by the King's majesty concerning wedding christening and burying be safely kept and exercised with in every parish according to the King's majesty's former injunctions.

16. *Item* whether the distributions of the fortieth part of all benefices being of the yearly value of 20£ by any parson vicar pensionary or prebendary upon the which they kept not residence were yearly distributed amongst their poor parishioners or other inhabitants there in the presence of the churchwardens or some other honest men of the parish.

17. *Item* whether the parson or vicar there which may dispend in benefices and other promotions of the Church 100£ by year hath thereof given competent exhibition to one scholar in Oxford or Cambridge yearly sithen the statute therefor was provided.

18. *Item* whether all proprietaries parsons vicars and clerks having churches or chapels or mansions within your parishes have bestowed thereupon in reparations, they being in decay, the fifth part of that their benefices ; also keep all ways and maintain the same in sufficient reparations and in good estate.

19. *Item* whether the said parsons vicars or curates have once every quarter of the year read the King's majesty's injunctions in their churches, and that openly before their parishioners.

20. *Item* whether there be any obstinate contemptuous person which hath and doth so deny or withhold the due payment of any tithes due by God's law and the King's majesty's to the ministers of the Church.

21. *Item* whether any person sithence the King's majesty's late visitation by his private and temerous authority hath changed the common order or manner of any fasting day that is commanded either of Common Prayer or Divine Service, otherwise than is specified by the said King's majesty's injunctions.

22. *Item* whether every parson vicar curate and stipendiary priest being under the degree of a bachelor of divinity hath at this instant time at his or their own charges the New Testament both in Latin and English with the Paraphrases of Erasmus upon the same.

The clergy are now to be examined on this article.

23. *Item* whether the parson vicar or curate within every of your churches always in High Mass time do read the Epistle and Gospel of that mass in English and not in Latin, in such convenient place as the people may hear the same : and whether they and every of them every Sunday and Holy day do plainly read or cause to be read one chapter of the New Testament in English at Mattins in the said place immediately after the lessons, and at Evensong after *Magnificat* one chapter of the Old Testament.

24. *Item* whether the parson vicar or curate hath diligently within their parishes resorted to all those that were sick and in danger of life,

persuading them steadfastly to believe and to have steadfast hope and trust in the mercy of God through the merits of our Saviour Christ Jesu : further comforting them with the comfortable places and sentences of Scripture, which is the lively Word of God, wherein the only stay of man's conscience consisteth.

25. *Item* whether all parsons vicars and curates do use to sing or say the Procession set forth in English by the King's majesty, and none other, at such time and places as the King's majesty's injunctions hath appointed.

26. *Item* whether any parson vicar or curate within his parish hath admitted any person to the Communion of the Blessed Sacrament of the altar whom they have not known to be in perfect love and charity with his neighbour.

27. *Item* whether the said parson vicar or curate hath diligently instructed their parishioners of the true using of ceremonies, and always to avoid the superstitious abuse thereof, declaring the great peril and danger of them which put any trust or confidence superstitiously in the said ceremonies.

28. *Item* whether there be in any of your churches any shrines coverings of shrines tables trindles or other monuments of feigned miracles not yet utterly extinct and destroyed.

29. *Item* whether there be in every of your churches an honest pulpit set in some convenient place there provided by the charges of the parishioners.

30. *Item* [whether] there be in every of your churches one coffer with locks and keys provided to receive the common alms for the poor people : and whether your curates do diligently from time to time, and specially at the time of sickness, exhort all persons for to extend their charity to be bestowed upon their poor parishioners : and whether the alms put therein be so indifferently distributed according to the King's majesty's injunctions.

31. *Item* whether that ye know any parson or vicar which hath by any corrupt mean or simony obtained any benefice : or any other person being patron so bestowed the same.

32. *Item* whether every parson vicar and curate have one book in their church called the Kings Homilies : and every Sunday diligently do read one of the same in the hearing of their parishioners.

33. *Item* whether ye know of any person within your parish which hath and doth indiscreetly contemptuously and uncharitably abuse priests and the ministers of the Church, irreverently railing upon them which ought to be had in reverence for their office and ministration.

34. *Item* whether ye do know any person using any Primer in Latin or in English otherwise than those which were lately set forth by the authority of King Henry the eighth of most famous memory : and likewise whether all graces at dinner and supper be used in the English tongue : and whether all schoolmasters do use to teach any other grammar than is set forth by the said King's majesty's authority.

35. *Item* whether a true full perfect inventory be made in every parish church of all such jewels and goods which there should be without any

concealment deceit or fraud according to the King's majesty's former letters directed in that behalf.

36. *Item* as concerns fornicators and adulterers and other evil disposed persons or haunters of alehouses or taverns.

37. *Item* as concerning testaments inventories and the administration of dead men's goods.

An English Estimate of Metternich, February 1813

FOR those who attempt to come to some conclusion regarding the personal views entertained by Metternich during the earlier stages of Austria's critical policy of the year 1813 the following document may prove of interest, embodying, as it does, the considered verdict of the Hon. John Harcourt King, our agent in Vienna, who, though not admitted to the minister's confidence,¹ had nevertheless had the experience of a seventeen months' residence in the capital in a semi-official capacity.² Allowance must, however, be made for his attitude of opposition to the cautious gropings of the Metternichian system, an attitude the result not only of his sanguine and somewhat tactless temperament,³ but also of the galling fact that, while he, if any one, represented the English government in the Austrian empire, everything of importance arising between the two states was transmitted through the technically unofficial channel of Count Hardenberg.⁴ A sense of grievance against this confidant of the Austrian minister had sharpened King's pen,⁵ and for a more genial estimate of Metternich's political character one must turn to the small touches afforded by the long series of dispatches—Hardenberg had no time for full-length portraits—which are preserved among the Hanoverian papers of the Foreign Office.⁶ Nor must the immediate circumstances of the present dispatch be lost to view. But seven days before Knessebeck had been

¹ See Metternich's Instructions for Wessenberg, no. 2, Vienna, 8 February 1813, cited in Oncken, *Oesterreich und Preussen im Befreiungskriege*, i. 420.

² He reached Vienna 24 August 1811 (Public Record Office, F.O. 7/99, King to Wellesley, no. 1, Vienna, 8 September 1811, decipher). For his previous residence and acquaintance with Metternich see *ibid.*, King to Castlereagh, London, 19 May 1813.

³ See Gentz, *Tagebücher*, i. 254, 263, and his remarks to Nesselrode (n. 5, *infra*).

⁴ See F.O. 34/2, Münster to [Wellesley], private, Clarges Street, 13 January 1810—a copy of this is preserved among the Wellesley papers at the British Museum (Add. MS. 37290, fos. 77–8)—and F.O. 34/4, Hardenberg to Münster, private, Vienna, 20 February 1812, copy, at postscript, 1 March.

⁵ Cf., e. g., F.O. 7/99, King to Castlereagh, no. 22, secret, Vienna, 23 January 1813. For a sidelight on his attitude to Hardenberg see F.O. 65/84, Walpole to Cathcart, no. 6, Vienna, 12 January 1813, copy. Gentz reviews his character and conduct in his letter to Nesselrode of 18 March 1813 (*Lettres et Papiers du Chancelier Comte de Nesselrode*, v. 53–54).

⁶ Class F.O. 34.

dismissed with unsatisfactory assurances, Walpole had previously gone away, *re infecta*, while the month of February marks the last stage of King's mission¹—the conversations with the Archduke John and the plundering of Danelon—to be followed, after the arrests of 7 March, by his own enforced return home.

The document is entirely in King's hand and *en clair*, having, with his other dispatches of the same period, been entrusted to Wessenberg,² then on the point of departure for London.

C. S. B. BUCKLAND.

Public Record Office, F.O. 7/99.

No. 26.

Secret

Vienna. February 5th. 1813. [fo. 1^r]

My Lord,

In the present moment when the Court of Vienna steps forward as mediatrix for the purpose of terminating by a general peace twenty two years of continual and unparallel'd disorders, I am induc'd, from the hope that they will not be wholly uninteresting to your Lordship, to offer some observations on the character and political sentiments of the Minister, who has undertaken this arduous task, and which I think will tend to confirm the policy and necessity of bringing this Court to a speedy, clear, and explicit declaration.

On a perusal of my despatches your Lordship must have been forcibly struck with the continual fluctuations, tergiversations, and contradictions, which prevail in the councils of His Imperial Majesty, and that far from abating, they seem daily to gain ground.

In all my late Interviews with Count Metternich I have never fail'd to remark, that he has one only object in view, which is a general peace, and, provided he attains that end, he is not anxious what the conditions of it may be. His only ambition is to be pointed out as the pacificator of Europe, for no other reason than to satisfy his vanity, and not from any direct desire to restore the ancient splendor of the house of Austria, or of striking a blow at the power of France. He is far from thinking, or unwilling to think, that the political equilibrium, that great object which all former Statesmen had in view, is essentially necessary to the welfare or safety of the different States of the Continent, and the idea of re-establishing it appears to him a mere chimera. Author of the marriage of the Archduchess with Buonaparte and of a new system in Austria, it cannot be reasonably expected that he would willingly contribute to overthrow him; on the contrary, there is but too much reason to believe that, were Buonaparte in danger of falling, he would endeavour, if he dar'd, to uphold him; altho' at the same time he would not be sorry to see his present immense preponderance and power diminish'd. He cannot, I think, at the bottom of his heart [fo. 2^r]

¹ See King's own dispatches in F.O. 7/99 and Wertheimer's 'Die Revolutionierung Tirols im Jahre 1813', based on the more detailed information contained in the Austrian archives, in the *Deutsche Rundschau* (cxx. 80–102, 217–41).

² Nos. 22–8 travelled this way (F.O. 7/99, King to Castlereagh, no. 33, secret, Vienna, 6 March 1813), but they must have been forwarded on from Sweden, for they were received 13 March, whereas Wessenberg only reached London on the 29th (Arneth, *Wessenberg*, i. 160–1; Luckwaldt, *Oesterreich und die Anfänge des Befreiungskrieges von 1813*, p. 122 n.)

have any great hopes of effectuating a peace; still however he flatters himself that by his subtlety and address in negotiation he may in the end overcome every obstacle, and overreach all those, with whom he treats. At all events by negotiating he hopes to evade coming to a prompt decision, and his chief maxim is to gain time, not indeed in order to profit of it by strengthening the forces of the Empire,¹ but in expectation that some fortunate events may in the mean while occur, and that chance may bring about what he himself has neither the wish nor the courage to attempt.

He has a deep-rooted antipathy against the Russians, and he consequently views with a jealous eye the great weight and consideration, which they have acquir'd by their recent exploits: he gives them but little or no credit for their successes, which he attributes almost exclusively to the temerity of Buonaparte; and he is persuaded that they are now nearly arriv'd at the term of their good fortune.

[fo. 2"]

Such are *at present* the sentiments and politics of Count Metternich: but, as nothing is stable in the political composition of this Minister, except his desire of effectuating a general peace, and that even on any terms whatever, which, as I have above remark'd, proceeds solely from vanity, he certainly at this moment has no fix'd plan in case of the failure of the negotiations.

In a conversation with Count Metternich yesterday he repeated more than once that an honorable and solid peace depended absolutely upon G^t. Britain; to which I replied that I conceiv'd it rested with Austria, who by acting conjointly with England and Russia in the present most favorable conjuncture might reduce Buonaparte to the necessity of acceding to reasonable terms; but he persisted in saying that England must decide the question.

[fo. 3"]

Upon the whole I must confess that, altho' I have no hopes that it will be practicable *at present* to induce Austria to join the Allies against France, still however the actual position of affairs inclines me to believe that she may be brought to neutrality in the first instance, if not actually to declare it openly, and the course of events may hereafter accomplish our farther wishes.

The sudden and unexpected departure of the Baron de Wessenberg² has left me barely time to write to your Lordship thus succinctly on these very important subjects, but I hope for your Lordship's indulgence, and as I entertain the fullest conviction of the truth of what I have had the honor briefly to state, I would venture to submit to your Lordship the propriety and necessity of at once putting an end to the wavering and undecisive conduct of this Government by the adoption on the part of Great Britain of such a tone, and of such firm and decisive language, as the circumstances seem so strongly to point out.

¹ This statement is somewhat unfair, ignoring, as it does, Count Wallis and the purse-strings.

² A false alarm. Wessenberg did not leave until the 8th (Luckwaldt, p. 122; cf. F.O. 7/99, King to Castlereagh, no. 27, secret, Vienna, 7 February 1813, and *Castlereagh Correspondence*, viii. 358) or the 9th (Arneth, i. 159).

Reviews of Books

Five Centuries of Religion. Vol. i: *St. Bernard, his Predecessors and Successors, 1000-1200 A.D.* By G. G. COULTON. (Cambridge: University Press, 1923.)

DR. COULTON has begun the monumental work, to extend to three volumes, for which so many pamphlets, *foliis commissa oracula*, have prepared the way. The learning is as massive as we expect; it would be ungracious to point out occasional errors, for such are inevitable in so great a crowd of facts, and it would be almost presumptuous to suggest additions. Yet sometimes Dr. Coulton might have looked earlier than he does. 'Confessor' is a technical name for the monk in Greek, and takes us back to the time when enthusiasts, whom the state refused to punish, punished themselves, and so won the honour which there would soon have been no confessors, in the original sense, to enjoy. We have here an origin of monasticism. When he quotes Caesarius of Heisterbach for the transparency of the soul, he might have reminded us that the same notion is found in Tertullian's Montanist writings, and like much else in Tertullian is Stoic in origin.

But Dr. Coulton habitually reproaches the monks—he seems to use 'religion' in the technical sense—with a failing they could not possibly have avoided. Like the early Fathers, they accepted without criticism the beliefs of their time, and those beliefs came to them continuously from the old civilization. Pliny, with his superstition and his uncritical accumulation of what passed for facts, was taken on trust. Specialists must trust specialists, and we can no more condemn a monk of the twelfth century for accepting statements that were valid for all his contemporaries than we condemn Mommsen for relying on Harnack for the Christian aspects of the early empire. There was nothing specially monastic in their credulity, which was confirmed by too many pages in the *De Civitate Dei* and the *Moralia* of Gregory the Great. And this science, such as it was, agreed with the folk-lore of the time; monks were men of their day and could not escape from their environment. The picture drawn by Dr. Coulton of the gloom and fear and failure in self-restraint which marked their life was equally true outside the cloister. If we are to do them justice, we must neither devote our whole attention to this aspect, nor yet to the purely Christian life, not characteristic of any one age, that was often found, as Dr. Coulton recognizes. We must consider the interaction between the general character of the time and the specifically Christian

life, and estimate the proportion of the victories to the defeats. We shall be the better able to do this if we take account of the actual achievements of monasticism. Cistercianism towards the west, Premonstratensianism towards the east, contributed greatly to civilization. They could not have been effectual had monks and canons simply shared the ideas of their neighbours. They did share those ideas, as Dr. Coulton shows. All the more powerful must have been the leaven of higher things that enabled them to raise their neighbours' life and their own above the range of accepted beliefs and practices, and that in spite of the hold which superstition and ignorance retained over them and their contemporaries. We want a synthesis, and Dr. Coulton is content to pile up, with monumental labour and accuracy, the evidence for one side only of the life. And sometimes his horizon is not quite broad enough in his survey of details. He lays just stress on the eminence of Cistercians as sheepmasters. But was this because they were Cistercian, or because in our island their endowments lay largely in Wales and the Yorkshire dales, which lent themselves to the industry? At any rate the Austin canons of Dunstable, whose estate lay chiefly in the Peak of Derbyshire, naturally followed the same course, and made their town, conveniently situated on Watling Street, a considerable wool-market. But perhaps the presence among the early Cistercians of a number of able-bodied lay-brothers enabled them to increase their flocks by grubbing up the hazel copses on their hillsides.

Dr. Coulton is apt to regard some medieval peculiarities as characteristic of the monks which were really quite general. He collects evidence for the endowment of masses in their houses; but was not this equally common in the great secular churches? Salisbury and Lincoln had altars perched like swallows' nests in the remotest corners of triforium and clerestory. And the uniformity extended far beyond this, as Dr. Coulton's most instructive citations show. But he also shows, to an extent which, we hope, will not rob his later volumes of some of their interest, that there has been a singular regularity in the phenomena of monasticism. He illustrates the two centuries with which he is dealing so lavishly from the literature of later times that his subject seems to be rather the institution in its several features than as it displayed itself during a limited period. The passages are admirably chosen and always interesting, though a certain caution may be needed in illustrating the age of St. Bernard from that of the counter-reformation. And some peculiarities which are noted might have been paralleled in quite unmonastic literature. The legalism on which Dr. Coulton lays stress in medieval religious books has never been better exemplified than in Sherlock's *Trial of the Witnesses*. But it would be an endless task to follow the author through his various topics, to which his personal judgements of blame or of praise add an interest of their own. No one can read without admiration of the industry and the skill; and perhaps no better use could be made of Dr. Coulton's book than to study it as the complement to Denifle's *Luther und Luthertum*.

E. W. WATSON.

La Sicilia ed il suo Dominio nell' Africa Settentrionale dal Secolo xi al xvi.

Di Comm. GIUSEPPE LA MANTIA. (Archivio Storico Siciliano, Nuova Serie, vol. xliv. Palermo, 1922.)

Sugli Studi di Topografia Palermitana del Medio Evo. Di Comm. GIUSEPPE LA MANTIA. (Archivio Storico Siciliano, Nuova Serie, vol. xli. Palermo, 1919.)

STUDENTS of European history are aware that as the wave of Islamic conquest was being driven back from southern Europe to Africa, the Christian powers occasionally seized and for a time held points on the African coast. The occupation of Tripoli by Roger II is noticed in Raumer's classical work on the Hohenstaufen, and historians who are more closely occupied with African and Sicilian affairs record a number of similar enterprises. In the first of two works here noticed Signor La Mantia has collected and copiously illustrated the share of Sicily in these events from the expulsion of the Moslems to the annexation of the island by Charles V; the proportion of notes to text in his pages varies from a third to five-sixths. His purpose is to prove that the claim of Italy to the Tripolitaine goes back to the time when Sicily was an independent power, whose conquests naturally belong of right to Italy now that Sicily is reunited with that country.

This Review is scarcely concerned with this line of reasoning, which clearly has its inconveniences, since it appears that at one time tribute was sent from Tunis to the rulers of Sicily, and the writer does not apparently wish to dispute the French claim to Tunis, though he has to protest against the theory of the French historian, Mas Latrie, that such tribute implied no political subjection. There is the further inconvenience that the tribute was paid when Sicily was not independent, and when its rulers were not Sicilians or even Italians; but then 'it is worthy of notice that the ambassadors who went to collect the tribute were often Sicilians, and started from the island, and that the governor of Sicily was regularly informed about it'. Passages from writers of various nationalities (including one in this Review for 1909), wherein the claim of Sicily in this period to parts of Africa are admitted, are zealously collected. Doubtless a patriotic purpose of this sort stimulates effort and renders the result interesting; and students of African and Sicilian history will be grateful for the care and skill shown in putting together this material.

These same qualities appear in the author's monograph *Sugli Studi di Topografia Palermitana*, wherein a list is given with extracts of writers on this subject. Some pages are devoted to a spring called '*Ain al-Rum*', which ought certainly to mean 'Spring of the Greeks', but gives rise to a discussion of the question whether Roger II can have been called 'Pope of Rome', as appears in a text of Idrisi, which Amari corrected by the insertion of the words '*sostegno del*'. Signor La Mantia rejects Amari's correction, and considers it proved that Roger II took the title as successor of the Byzantine emperors (called by the Arabs *Qaisar Rum*) in the island. This would imply that Roger II thought in rather bad Arabic; for though *Rum* meant Greeks to the Arabs, it is unlikely that it meant the same to the Normans; and even the Arabs know the difference between *Rum* (Byzantines) and *Rumiyyah* (Rome).

D. S. MARGOLIOUTH.

A Calendar of the Pipe Rolls of the Reign of Richard I for Buckinghamshire and Bedfordshire, 1189-1199. By G. HERBERT FOWLER and MICHAEL W. HUGHES. (Bedfordshire Historical Record Society, vol. vii, 1923.)

THE reader who opens this book at random is likely enough to close it again with the feeling that no one but a mathematician will ever understand its system of references. A little patience and even less perseverance will convince him that this criticism is unjust; he will soon find himself able to interpret formulae like 39-40/vij N/13, and to distinguish the N of that expression from the N in N/viiij B/12; and from reluctant toleration he will probably proceed to a respectful admiration of the method devised. In other respects the editors have also tempted critics to complain; they have translated and abridged the original rolls; and, what is even more daring, they have rearranged the order of the items in the rolls. In defence of their methods they plead that their reasons are 'obvious' and that any other course would be expensive. Even a 'purist in Record work, who . . . regards every jot and tittle of the original manuscript as sacrosanct', must bow before such pleas and dismiss the criminal with a caution. If the thing has got to be done, the editors have at least done it well. The expert, who knows his Pipe Rolls, will have no difficulty; and if the tiro stumbles to confusion over such an entry as '*a. to Ch. of Lincoln, pdn. by liberty of royal charter*', which can be found under 36/vij A/1 on p. 46, the truth is that he would equally have stumbled over the unabridged Latin original, had he encountered it. For the second branch of their offending they have a stronger defence on the merits of the case; they plead that the order of the rolls is so irregular as to be chaotic. It is clear that in these circumstances much is gained by the order adopted by the editors; it is equally clear that one object of a calendar has been abandoned by them. Their work so done ceases to be a means of reference to the original rolls; and this is a serious disadvantage. But so great are the advantages of the system adopted, that after spending a good many hours over the book, I am inclined to say that on the balance the editors '*habent de superplusagio*'. But for the convenience of study totals should be added at the foot of each page and repeated at the head of the succeeding page. The editors themselves admit that the classification of the items could be simplified, so it is needless to discuss that question. There is a useful introduction, there are certain tables to which I shall have to return, and an appendix of notes chiefly on genealogical points.

But to the student of general history the main interest of the book must lie in its presentation of the Pipe Roll as an account. And on this point the book is not quite as successful as it might be. The matter is printed in four columns. In the first comes the name of the debtor and the nature of his debt, and under this head are entered in italics any sums he is entitled to set off against the claim made on him. In the second column is entered the amount due, in the third the amount paid, and in the last column the debit balance. Credit balances occasionally occur, and are then noted in the first column. And so it seems natural to add up the second column, and so find the sum due from the two

counties in any given year, to do the same with the third column, including in it the amounts given in italics in the first column, and to make sure that the totals thus obtained correspond with the total of the third column. And this seems to have been the method used by the editors in forming the table on p. 32, which is called 'Abstract of the Revenue', with special columns for 'General Revenue'. Now the practice of the Pipe Roll in the reign of Richard I is that all sums found due and unpaid in the roll of any year must be again charged against the debtor in the roll of the following year. Occasional and unimportant exceptions to this rule may of course be found; but there are no considerable infractions of the rule. It follows that the amount due in any year must be greater than the debit balance of the preceding year. Nevertheless, in the table the balance for the year 1190 is given as £1,250 9s. 3d., and the amount due for the year 1191 as £1,095 3s. 3d., a result quite incompatible with the principle here suggested. Only a trained accountant could be expected to discover the origin of this discrepancy without waste of time; and a good deal of time was wasted before the error was detected. The arithmetic seemed impeccable, and the accounts balanced accurately; the editors seemed to see nothing odd in the result. In point of fact the story was absurdly simple. In adding up the totals of the year 1190 the editors had inadvertently inflated the total amount due for the year and the debit balance by the sum of £638 0s. 8d.

Far the largest single item put in charge in the year 1190 was the sum of £1,333 6s. 8d. promised by William Marshal in consideration for the allowance by the king of his claim to the moiety of the lands of Walter Giffard. The first entry relating to this account occurs on p. 51, where the debtor is credited with £695 6s. 0d., leaving an unpaid balance of £638 0s. 8d.; on p. 53 this sum of £638 0s. 8d. is again entered as due, and the debtor is there allowed to set off against his debt the sum of £466 13s. 4d., leaving £171 7s. 4d. A little consideration will show that this account contains a trap for the unwary, and that the editors have fallen into it. Had the sum entered twice in the Pipe Roll been a small one, it would have been hard, if not impossible, to detect it. But the largeness of the sum ought to have aroused suspicion, and so means ought to be devised to avoid the possibility of such an accident.

The further history of this account shows another weakness in the calendar. William Marshal did not pay off the arrears of his debt until the year 1193, in which year the whole sum of £171 7s. 4d. is allowed to him as 'Balance of receipts and outgoings from the time of war, account rendered below' with an editorial note that the details of the account have no direct bearing on the finance of Beds. or Bucks. This is true; but the statement so made leads the reader to conclude that no calendar of the Pipe Rolls prepared by even the most intelligent local society can ever be fully satisfactory. The local point of view is sure to interfere with a scientific treatment of the rolls. And the same limitation probably accounts for the fact that the editors have accepted without demur the ordinary story that William Marshal acquired his claim to a moiety of the Giffard inheritance by his marriage with Isabel, daughter of Richard, earl of Pembroke. It is impossible to discuss the many difficulties involved

in this theory in this review. But had the family of Clare been seated in Bedfordshire and Buckinghamshire, the editors would not have dealt so lightly with the matter.

This review may seem critical; it is intentionally critical, because the book is an experiment. The scheme of it is ingenious and effective, and its execution good. The errors of detail pointed out could easily be avoided. And a similar abstract of every Pipe Roll would be of great historical value for the period in which the Pipe Rolls are the chief primary record. But such a calendar can never replace a printed text. It is necessarily far removed from the original in phraseology and order. For really effective study text and calendar are both needed.

C. G. CRUMP.

Curia Regis Rolls of the Reigns of Richard I and John, preserved in the Public Record Office. Vol. i, *Richard I—2 John*. (London: Stationery Office, 1923.)

IN this volume Mr. C. T. Flower has filled the gaps left by the publications of the *Rotuli Curiae Regis*, edited by Palgrave in 1835, and the transcripts in vols. 14 and 24 of the Pipe Roll Society. These contained rolls from 5 Richard I to Easter term of 1 John. Mr. Flower has now added a roll of those who placed themselves on the grand assize, and pleas at Westminster from the seventh, ninth, tenth years of Richard and the Hilary term of 1 John. The greater part of his volume contains pleas at Westminster and a very important roll (no. 21) of pleas before the king during John's second regnal year. In addition an extraneous membrane of roll no. 6, which records pleas of 6 John, is printed here on pp. 26–31 as coming from Trinity term, 7 Richard I; the significance of obvious references to the first coronation of John at Canterbury was overlooked and only realized after the volume was in print. When we remember that these very early plea rolls generally bear no contemporary indication of date, and that at various times many membranes, detached from their original setting, have been added to rolls with which they have no connexion, we shall not be surprised if other mistakes have escaped Mr. Flower's careful revision. It is of more consequence that we at last have the texts, competently edited and arranged, for the series, as it proceeds, will be found essential by the student of the central administration and the origins of parliament. The book is so valuable that even more care might with advantage have been taken to increase its helpfulness to specialists. The omission of essoins, for example, is to be regretted; they were printed by Palgrave, and are essential for the study of the history of particular cases. The indexes of persons and places and of subjects are admirable. The latter, indeed, is a commentary for the use of the lawyer, the social historian, and the genealogist. The legal historian will especially profit by it, for he can find there reference to all the various forms of actions, writs, and processes which were on the way to rigid definition, and whose crucial problems were under discussion by the justices. The information on place-names is especially interesting. The recently formed shire

of Westmorland was described as 'Appleby' as late as 1198, although the present name is used in 1200 (pp. 51, 165). Some place-names can almost be seen in the process of formation—the family of Bec at Burnes in Kent will give its name to Beaksbourne; the names Gamelbi (Gamblesby) and Glasanebi (Glassonby) have arisen since Henry I gave to Hildred of Carlisle the lands of Gamel son of Bern and Glassam son of Brictric (p. 389). The history of the name Thorpe Morieux in Suffolk is partly revealed in a plea of 1201 (p. 433). At that date this place, which belonged to the honour of Penwortham in Lancashire, was named Guvetorp, for it was the dower of Giva or Giua, the sister of Ranulf de Glanville; Roger de Murious was summoned to show by what warrant he held it, and his complicated story was referred to a jury of twelve knights from Lancashire and twelve knights from Suffolk.

The most striking fact which can be deduced from the rolls of John published by Mr. Flower is that, long before the time when Henry III began to hold pleas in person and the two series of plea rolls regularly appear, the cases which came before the king were recorded on a separate roll. Maitland, in his *Select Pleas of the Crown*, points out that in John's reign the court sometimes assumed a dual form, that two distinct forms of summons were already in use; but he would seem to have regarded this development as exceptional, the result of John's love of peregrination. The identification of Curia Regis Roll 21 as a roll of pleas before the king, and, still more, the publication of the text, both of this and of contemporary rolls of pleas held at Westminster, enable us to go further. Maitland, I venture to think, was too much influenced by the distinction between common pleas and crown pleas to see the full meaning of his distinction between the two kinds of summons. It is on the whole true, as he observed, that 'whichever form of its two forms the court assumed it was equally competent to hear all manner of business, common pleas may well follow the king, crown pleas may well be heard before the justices of the bench'.¹ But the distinction which mattered was not a distinction between kinds of cases so much as between their importance or their interest in royal eyes. According to the well-known passage in the *Gesta Henrici*, Henry II, when in 1178 he instituted a permanent court of five judges—now generally agreed to begin the history of the sessions of judges at Westminster, or the Bench—intended that they should hear all pleas ('omnes clamores regni'), provided that cases which could not be concluded should be referred to him.² They were not regarded as a separate court, they were of the royal household ('omnes de privata familia sua'), could be sent on eyres or reabsorbed among the royal councillors at will, and the same is true of their professionalized successors in John's reign. We have in this volume (p. 462) the case of the prior of Leicester who, producing a charter of King Richard, refused to plead before the justices at Westminster because he had the right to appear only before the king or the justiciar, and was told that a plea before the justices of the Bench was a plea before the king: 'cum omnia placita que coram iusticiariis de banco tenentur coram domino rege vel capitali iusticiario teneri intelliguntur.' This

¹ *Select Pleas of the Crown* (Selden Society), p. xvii.

² *Gesta Henrici et Ricardi* (Rolls Series), i. 207-8.

being so, there was no difficulty about the withdrawal or transfer of cases from the justices to the king or about reference of cases from the king to them. 'Loquendum cum rege' is a common marginal entry in a roll of pleas at Westminster. The difference between a case in the Bench and a case actually before the king tends to become a difference in kind, but in 1200 the essential difference is not between kinds of cases, but between the atmosphere of the two expressions of the curia regis. The Bench is more formal, more observant of routine, more staid, less authoritative, in frequent correspondence with king or justiciar or itinerant justices. The curia regis proper combines administration with judicial practice, is more formative, and deals with a greater variety of matters, though it does less business.

The roll of pleas before the king belongs to the period in John's second year when he made a somewhat prolonged stay in England, October 1200 to May 1201. The proof of this is found by Mr. Flower in clear reference to his itinerary, to the death of Roland, lord of Galloway, in December 1200, and other details. The roll is continuous, but, although the division of cases is not very clear, Mr. Flower has been able to distinguish the Michaelmas, Hilary, and Easter terms, and has accordingly printed the roll in three separate sections. As King Richard had never been in England for more than a few months at a time, and as this was John's first long visit since his accession, it is possible that we have here the first roll of pleas before the king, and the informal and haphazard character of many of the entries also suggests that it had no tradition behind it; but it would be unwise to dogmatize on such a point. In any case, if this was the first, it was certainly not the only roll of its kind before Henry III began to hold pleas after his minority. Indeed if, as is much to be hoped, several other similar rolls are extant among the plea rolls of John's reign,¹ there is much to be said in favour of printing them together as a separate series, for the value of their contents would by this means be more easily appreciated. A cursory examination of some of the rolls of Henry III's reign of pleas before the king has led me to the view that the later Parliament Rolls were a continuation of the series of which this roll of 2 John is the earliest example hitherto discovered. Whether this be the case or not, the contents of the series so exceed in importance those of the rolls of pleas at the Bench that their prior publication is much to be desired.

The roll of 2 John requires more attention than can be given to it here. It raises many interesting questions. It is partly a record of pleas, partly memoranda more or less bearing upon judicial cases. It was written by clerks in the service of the justices who were with the king, and has no connexion with the chancery. Sometimes the king was present in person, sometimes only the justices, for letters of instruction from John occur, and on two occasions a note is made that a point must be referred to him. The king was never far away; the justices presumably heard cases in the place where his household was established while he was hunting or absent on a short visit in the neighbourhood of Geddington, Mitford,

¹ This seems to follow from Maitland's discussion of the subject in his introduction to *Select Pleas of the Crown*; see also his introduction to *Bracton's Note-Book*, i. 57.

Bolsover, and other places. John's personal interest is frequently noticed : he is moved by pity (*misericordia*), he once declares that he will warrant an absent party, and again that he and the justiciar will act as pledges for a Welshman. He appears not as a judge, but as an arbitrator ('*super arbitrium suum*') between John Marshal and the master of the Temple (p. 374). On several occasions he decides a difficult point with the counsel of his barons (pp. 382, 392). This is a '*curia in consilio*', or, as the French would have said, '*in parlamento*'. Parties to a case pending at Westminster are permitted to come before the king to make an agreement, and elsewhere, in a roll of pleas at Westminster, we are told that the king transferred two duels from the cognizance of the Bench to his own because he desired to see the fights (p. 279). On the other hand, cases are sometimes transferred to Westminster, and during the weeks just before he sailed for Normandy, this is done frequently. Norman cases occasionally come up, and a note is made that a writ be sent to the seneschal of Normandy, or the parties are ordered to appear before the king in Normandy at a later time. Geoffrey Fitz Peter, the justiciar, is in frequent communication with the justices in John's train, and apparently is sometimes present. His activities require examination, for he also would seem to be holding pleas, not necessarily at Westminster. The roll contains many notes of the appointment of substitutes for parties, as often as not in cases to be tried at Westminster. Finally, John is on eyre. His justices have before them inquiries into the king's fiscal rights in Carlisle and elsewhere and into the disposal of the chattels of Reiner, once sheriff of York ; this is an old and intricate case. A note is made that Gerard de Carnville farms a manor for 20*l.*, whereas it could bring in 24*l.* (p. 414). This entry and others seem to be intended for the exchequer.

Evidently, the distinction between the two aspects of the *curia regis*, between the pleas of Westminster and the pleas '*coram rege*', was clearly marked in John's reign, although in theory all alike were held before the king. There was no change of policy in 1234. In John's time, indeed in Richard's time, the rolls of pleas held at Westminster were a separate series, and recognized as such. Godfrey '*de Tiuring*' in Hilary term of 2 John '*vocat ad warantum rotulos de Westmonasterio*'; they are searched and the roll for Hilary term of 1 John is quoted (pp. 123, 408). They are the '*rotuli curie domini regis de Westmonasterio*' (p. 402, cf. pp. 57, 181).¹ Probably they went back to the reforms of 1178, for there are references upon the rolls of 2 John to plea rolls of the time of Richard de Luci: '*Dies datus est Reginaldo de Clifton petenti et Ricardo filio Radulfi ad audiendum iudicium suum de placito terre a die*

¹ If we can accept Mr. Flower's ingenious suggestion, based upon a comparison of endorsements, that the rolls were at first arranged according to years and were numbered without reference to a change of reign, a new series probably began in Richard's first year, for roll 20 (Hilary Term, 1 John) is endorsed in a later hand as a roll of the tenth year of John (i. e. in the tenth year of the series, the words *regis Johannis* being added in error), and roll 21 as a roll of the eleventh year. See p. 441 note. As roll 21 is not a roll of pleas at Westminster, no distinction can have been made in this grouping between the various kinds of *Curia Regis* rolls ; nor would such a distinction be natural, for all were returned into the treasury and all were rolls of the king's court.

sancti Michaelis in iij septimanas : et interim inquirantur et inspiciantur rotuli tempore R. de Luci, cuius tempore cirographum quod Ricardus detulit factum fuit.' ¹ The allusion is clearly to the proceedings in court, of which many examples may be found in the rolls now published, leading up to a final concord and the transfer of the chirograph to the parties ; the ' rolls of Westminster ' were a continuation of the Curia Regis Rolls, now lost, of Henry II's reign before 1179, when the great justiciar Richard de Luci retired to the monastery of Lesnes. They may have taken a distinct form after the judicial reforms of 1178.

Indirectly the Westminster rolls for the second year of King John can be used to prove the early existence of duplicate rolls of the same proceedings, one roll, known as the principal or first roll, being at once deposited in the treasury.² From an entry in one of the rolls for Trinity term, 4 Henry III, it is clear that there were at least five rolls of the cases for a previous term.³ One of these would be the ' rotulus primus ', the others the rolls of the several justices.⁴ It would seem that the first or principal roll, written, as Bracton says, by the protonotary, was sometimes called the ' rotulus de thesauro ', while the others were occasionally known from the name of the particular justice, and one entry upon the rolls for Trinity term, 2 John, printed in the work under review, can be used to show that this nomenclature, and presumably the system so described, goes back to the beginning of John's reign. The proof, which is due to Mr. Tyson, is this. In 1219 John de Montacute called the king's court to warranty in a plea that Martin de Bestenora was his villein : ' et quesiti sunt rotuli et inventum est in rotulo de thesauro quod iurata capta fuit ', &c. . . . ' Idem et per eadem verba invenitur in rotulo Ricardi de Heriet et non plus.' In other words, the proof of villeinage, by a jury, was given in identical words in two rolls of a previous period, one of which was the roll always kept in the treasury, the other the roll of a well-known justice, Richard de Heriet or Hereyard. Now the verdict of the jury is found in identical words on the Curia Regis Rolls 16 and 24 (Trinity Term, 2 John) printed in this volume, as may be seen if we compare their record with the garbled results of the investigation in 1219.

Curia Regis Rolls, i. 216.
(Trinity Term, 2 John)

Bracton's Note-Book, ii. 62-3, no. 70.

Assisa venit recognitura quod servitium et quas consuetudines [Alricus] pater Martini de Bestenor' fecit patri

Et quesiti sunt rotuli et inventum est in rotulo de thesauro quod iurata capta fuit ex consensu partium inter eos ad

¹ p. 208 and the corresponding entry, p. 245 ; cf. also p. 227 : ' inquirendum de quadam concordia facta in curia regis H. tempore Ricardi de Luci inter Willelmum filium Radulfi et Lucianam.' The earliest extant pleas come from a transcript, made in 9 John, of pleas held 27 Henry II (Maitland, *Select Pleas of the Crown*, pp. vii, viii, xxvi).

² My observations upon these points are based upon notes kindly lent to me by Mr. M. Tyson, who has studied some of the rolls in the light of information given in *Bracton's Note-Book*.

³ This seems to follow from the dispute about an appointed day, mentioned in *Coram Rege* Roll 6, one of the two extant rolls for Trinity, 4 Henry III. See *Bracton's Note-Book*, edited Maitland, iii. 397-8, no. 1455, and notes.

⁴ Bracton, *De Legibus*, fo. 352 b ; *Note-Book*, ii. 124, no. 149, and notes.

Iohannis de Monte Acuto de c. acris terre cum pertinentiis in Bestenor' die et anno quo obiit [quam terram Aifricus tenuit de patre Iohannis], in quam iuratam uterque posuit se. Iuratores dicunt quod ipse fecit inde per annum patri Iohannis xx solidos cum l. ovibus quas habuit de eo, et unoquoque anno talliavit eum rationabiliter quando talliavit alios homines suos, et filiam suam non potuit maritare donec finierat cum domino suo.¹

recognoscendum quod servitium et quas consuetudines Alur' pater ipsius Martini fecit eidem Iohanni [sic] die et anno quo obiit, et iuratores dixerunt quod idem Alur' tenuit centum acras terre cum l. ovibus de eodem Iohanni pro xx solidis annuis et quod talliavit eum mensurabiliter quando talliavit alios homines suos et quod non potuit filiam suam maritare sine licencia domini sui. Idem et per eadem verba invenitur in rotuli Ricardi de Heriet et non plus.²

We may conclude, therefore, that the rolls searched in 1219 were two rolls of Trinity term, 2 John, and that they were perhaps the rolls 16 and 24 which have survived. One of the two rolls searched was the roll of the treasury and could be no other, I imagine, than the principal or protonotary's roll; the second was the roll kept by the clerk of the justice, Richard de Heriet, who died in 1208 and frequently appears as one of John's judges.³

The only references to the clerks in attendance upon the justices concern the notes of fines or final concords made in court. The note of a fine before the king was kept by a clerk named William (p. 261). Roger of Norwich and Everard are mentioned as having the notes of fines made at Westminster (pp. 145, 197, &c.). Mr. Flower suggests (p. 269 note) from the fact that the entry 'Everardus habet notam' on roll no. 24 (pp. 331, 347) is replaced in the duplicate roll no. 23 by the words 'nos habemus notam', that Everardus was the scribe who wrote roll no. 23, but this argument is weakened by the appearance of the phrase 'unde Ebrardus habet notam' in another place in roll 23 (p. 368). It is unlikely, however, that at this early date the staff of the justices included a special chirographer, and Everard was apparently one of the ordinary clerks who was usually entrusted with the notes. At the same time, the evidence on the rolls shows that we must carry back the procedure, in its various stages, of the fine to the end of the twelfth century, and revise the tentative conclusions drawn by Mr. Turner from casual reference to the rolls of Henry III.⁴ The standard form of the concord or chirograph in triplicate, was defined by Hubert Walter in 1195, and, as we have seen, the preliminary proceedings (licence to agree, settlement of terms, drawing up of the note, appointment of a day for receiving the chirograph) were probably in operation in the time of Richard de Luci. Certainly they are clearly distinguished in the rolls of John. The terms of the agreement

¹ The words in brackets are omitted in roll no. 16.

² Cf. pp. 79-80, no. 88.

³ Roll 24, which begins suddenly in the middle of Trinity Term, 2 John, and continues to Easter term, with 22 and 23 as duplicates for Michaelmas Term, is a very likely 'rotulus principalis'. Unhappily it is incomplete. Needless to say, all the rolls were returnable to the treasury, but it must have been important to make sure that one was there.

⁴ G. J. Turner, *A Calendar of the Feet of Fines relating to the County of Huntingdon* (Cambridge Antiquarian Society, 1913), pp. cxxv ff. On the value of the extant fines in the interpretation of the earliest plea rolls, compare Dr. Round's note, 'A Plea Roll of Richard I' (*ante*, xxii. 290-2).

were frequently entered upon the rolls,¹ the note was made in court (p. 310) or sometimes had been prepared by a local clerk,² and ultimately found its way to Westminster (p. 372). The chirograph was apparently written at once or soon after, unless the reference to a chirograph in the hands of Roger of Norwich (p. 89) is really to the note, and its foot ('pes cirographi') was filed in the treasury (p. 208). It must have been difficult sometimes to keep the various justices informed of agreements when the final stages had not been completed. Thus a day might be fixed for the parties to receive the chirograph either at Westminster or before the king if he were still in England (p. 380).

The difficulty in getting a record of the plea which had resulted in a fine must have been greater still. The king might have cognizance of a case in which a fine had previously been made before another body of justices, and require the record of the fine (p. 456). It is not surprising that on one occasion the record, we are told, was not forthcoming.³ The co-operation between the justices of the Bench and those on eyre was very close, and cases were frequently transferred to the latter 'prece partium'; but it was not easy to keep in touch with the records of itinerant justices. The rolls of itinerant justices are twice called in evidence by parties (pp. 177, 241), but at this date the evidence was not easily accessible. A day was given to two parties to receive their chirograph at Westminster, and the note is added, 'iusticiarii qui itinerabant in partibus illis habent breve et recordum' (p. 53). It was easier to get a special record of a case from the justices (pp. 22, 293 and notes, a record not forthcoming p. 453), or to get the information from the local jury (p. 197), than to search for the rolls. Although we have definite evidence rather later that the rolls of the pleas before itinerant justices were searched,⁴ the difficulties must have been considerable. In 42 Henry III the barons of the exchequer were ordered to make inquiry regarding the possession of the rolls and chirographs, whether of cases before the justices in eyre, or in the Bench, or coram rege, since the king's first coronation, and to call into the treasury all those which were still in other hands.⁵

The articles in the subject index, under the words actions, charters, courts, essoins, final concords, judgements, juries, justices, pleadings, procedure, seals, warranty, writs, &c., give an adequate impression of the importance of this volume to the historian of English law. Matter of wider interest is abundant. On two occasions charters of the Conqueror are pleaded, and one of the charters mentioned does not appear to be

¹ Cf. Palgrave, *Rotuli Curiae Regis*, ii. 192 (Easter term, 1 John): 'Anselmus habet concord' in rotulo suo.' For later practice see Turner, *op. cit.*, pp. cxxviii-cxxxiii.

² The note of a fine relating to lands in south Northamptonshire was written by Geoffrey, clerk of Tadmerton, in north Oxfordshire (p. 197).

³ p. 328, 'Dies datus est Gilberto de Stamford et Ricardo de Waud' de placito finis facte a die Pasche in tres septimanas, quia concordia facta fuit apud Turrim ut predictus Gilbertus dicit coram domino G. filio Petri, unde non habemus recordum' (Plea at Westminster, Michaelmas term, 2 John).

⁴ e. g. *Bracton's Note-Book*, iii. 364, no. 1411.

⁵ Madox, *History of the Exchequer* (1769), ii. 256-7. When Mrs. Stenton's studies of the plea rolls and fines of John's reign are published, we may safely expect to have most of the problems which I have mentioned in this notice elucidated.

included in Mr. Davis's *Regesta* (p. 123). Robert the Chamberlain produces in court letters patent of Henry I, addressed to his justices of Lincoln and York (p. 263). Henry Turpin, a royal chamberlain, who apparently died on Richard's journey to the East, left a son, William, who was deprived of the succession in favour of others at Messina, an error of justice afterwards corrected by the earl of Arundel 'quia scivit quod rex Ricardus malevolentiam habuit versus eundem Willelmum'. William is to have his writ of seisin (p. 285). In Michaelmas term of his second year John instructed the justices of the Bench that all charters and letters patent of his predecessors must have his confirmation 'de aliqua re que coram ipsis tractetur' (p. 331). One case shows the extraordinary prestige of Archbishop Hubert Walter. The king had ordered the justiciar not to permit Ralf de Clere to plead because he was under age, but the archbishop, Ralf's guardian, said that it was not 'contra consuetudinem regni si loquela procedat', and so a day was given (pp. 279, 284). A year earlier the court had allowed a minor to plead in a case of land not held 'ex hereditate' (p. 108). The administration of the ordinance for the Saladin tithe is illustrated by a case of 1201 (p. 430). There are interesting references to the records of the county court, including one concerning the 'recordum comitatus' of a duel fought at Marlborough before Henry II and Ranulf de Glanville (p. 394). The record of the shire court is also ordered to be had to test a strange story told by a hired champion in another duel, to the effect that, after he had defeated his opponent, Robert Bloc, one of the knights 'qui campum custodierunt per preceptum Ade Clerici, qui fuit ibi loco vicecomitis', struck him on the head with the staff of the prostrate man (p. 100). In the octave of St. Martin, 1200 (18 October), it is agreed by the parties to a debt that payment shall begin at the Christmas next after the 'consilium Lincolniae' (p. 337), a reference to the forthcoming meeting at Lincoln on 21 November between John and William of Scotland. I have noticed one little addition to monastic history. In 1198, according to the *Monasticon*, Richard Malebisse founded the Premonstratensian house of Neubot or Newbo in Lincolnshire (in the parish of Barrowby, near Grantham), and we find him asserting in the following year that the abbot of Croxton (Leicestershire) had promised by charter to transfer his house to the new site (p. 85). A woman appealed of sorcery by another woman successfully defended herself in the ordeal of iron before the king (p. 108). There is a case of a nun who pleads that she had been forced to take the veil (p. 118). Of the numerous references to local customs and privileges the most interesting is the case of the fullers and dyers of Lincoln. The alderman (principal officer in Lincoln) and reeves had seized the cloths of the fullers and dyers, of the fullers because 'non habent legem vel comunam cum liberis civibus', of the dyers because they had dyed their own cloths contrary to the regulation which forbade them, in the interests of other owners of cloth, to use anything except woad. The purpose of the rule was to secure the dyeing of the customer's cloth 'in prima tinctura' and not in the dregs (pp. 259-60). On another occasion the citizens of Lincoln claimed the right to raise local rates for civic purposes only, and to be free from any obligation to pay tallage to the king (pp. 418-19).

In conclusion, I call attention to the definition of 'liber homo'. A man claimed by the abbot of Evesham as his villein 'dicit quod ipse liber homo est et in iurata domini regis ad arma habenda ut liber homo'. Two of his brothers were villeins, but of their own free will (p. 45, cf. p. 67). This appeal to the assize of arms should strengthen the faith of those who prefer to give a wide interpretation to the words 'liber homo' in Magna Carta, c. 39. Magna Carta suggests trial by peers, and I may note a case where a man, against whom his lord, Thomas de Burgh, had recovered seisin in his court, came before the justices at Westminster, and with his lord's consent 'posuit se super visnetum et super pares suos ut recognoscatur in curia Thome si frater ipsius Willelmi fuit seisisus die qua obiit de predicta terra' (p. 258). Here the 'peers' cannot be the suitors in the lord's court, for the man had already been before the court. The parties come into the king's court and agree to a new trial by jury in Thomas's court. They put themselves upon the neighbourhood ('visnetum'). This, needless to say, is not a 'iudicium parium', but it shows that the verdict of a jury could be described as a verdict of one's peers.

F. M. POWICKE.

Codex Documentorum Sacratissimarum Indulgentiarum Neerlandicarum (1300-1600). Uitgegeven door DR. PAUL FREDERICQ. (Rijks Geschiedkundige Publicatiën. The Hague: Nijhoff, 1922.)

THERE is a certain melancholy interest in the circumstances in which this collection was given to the world. The late Professor Fredericq had been collecting materials for it since 1900 and working on them with the assistance of his pupils, who thus served their apprenticeship to historical research. The war of 1914, which put an end to his teaching, provided him with the leisure necessary for the arrangement of his book. In December 1915 it was complete. His friends in Holland undertook its publication, and he was still searching for a safe means of conveying it to The Hague, when he was arrested, with other Ghent professors, in March 1916, and interned in Germany, where he was detained until November 1918. Owing to inevitable delay in the printing he was only able to correct the first seventeen sheets before his death, which took place on 30 March 1920.

Dr. S. Muller, who saw the work through the press on behalf of the Dutch Historical Commission, has been unable to collate the original documents, which are largely from Belgian sources, and apologizes for the deficiencies of the text. It must be admitted that this is frequently unsatisfactory, but in many cases this must be attributed not so much to the vicissitudes of the book as to the unequal attainments of some of Dr. Fredericq's collaborators. One of them has ventured (p. 465) two corrections of Erasmus's Latin which he had better have left alone, and there are many cases where emendations can be made with certainty without reference to the originals. There is no sense in printing 'a luminum Tulphae nostrae', or *quatia* for *gratia*. But after all these are trifles and do not really affect the value of the book.

The plan pursued is to print in full all the accessible documents relating

to indulgences preached in the Netherlands on the authority of the Holy See, whether of a general or of a local character, omitting all consideration of those proceeding from episcopal authority. Even with this restriction, and omitting the full text of documents in the same form as others of earlier date, the resulting volume is a large one. We have the original Bulls from the Vatican Archives, and examples of all the subsequent proceedings: the appointment of commissaries or sub-collectors, the arrangements for the preaching of the indulgence and the hearing of confessions, the distribution of letters of indulgence or *Confessionalia*, and the audit of the accounts of the fees received. The editor, though himself presumably a protestant, has attempted to present his documents without selection and without comment. The only indications of bias are the inclusion of an appendix of modern indulgences for comparison and the printing, as a letter of indulgence, of the absolution of an adulterer by the vicar-general of Bois-le-Duc, which appears by its form to be an ordinary proceeding of an ecclesiastical court (p. 633). It is remarkable that the extracts from chronicles and theological works which are printed among the documents are almost all unfavourable to indulgences, but this does not argue any conscious selection, since it would hardly be thought necessary to defend them before the Reformation. Still, it seems possible that careful search in forgotten books might have produced some passages on the other side. We are left with the impression that opinion was slowly forming against indulgences in the Netherlands all through the fourteenth and fifteenth centuries. It is not surprising that this should have been so, for the inconveniences of the system were obvious and the abuses difficult to check.

The fundamental question of the value of indulgences is raised at the very beginning in the chronicle of Gilles li Muisis, abbot of St. Martin's, Tournay. He relates that the pilgrims who visited Rome for the Jubilee of 1300 believed the indulgence to be 'a poena et a culpa', while the mendicant orders maintained the contrary. The matter was referred by the Penitentiaries to Boniface VIII at Anagni, who replied:

O dilectissimi filii, ista proveniunt de mendicantibus ordinibus, qui ex quo fuerunt instituti, contra nos et ecclesiam Romanam opiniones diversas habuerunt; nos autem in praesenti materia, super qua a vobis sumus requisiti, intentionem nostram sic declaramus et volumus quod cunctis super hoc facientibus quaestionem intimetis, quod omnibus vere poenitentibus et confessis, accedentibus prout in decretali continetur, qui venerunt, qui sunt et qui venient, concessimus et concedimus indulgentias et plenam, plenioram et plenissimam remissionem et quantum claves possunt.

Which left the question exactly where it was before.

The rigidly canonical view of indulgences adopted, we may suppose, by the mendicant orders, will be found in an opinion given in 1447 by Henry Kalteisen, the grand inquisitor for Germany, and at this time a master of the sacred palace under Nicholas V. He is replying to the bishop of Liège, who has consulted him about two friars who have been preaching, among other dangerous doctrines, an indulgence 'a culpa et pena'. He describes indulgences as follows: 'Indulgencia est remissio pene temporalis debite peccatis actualibus penitencium, non remisse in absolutione sacramentali, facta a prelato potestatem habente, ex rationa-

bili causa, per recompensationem pene indebite Christi et sanctorum.' So that, strictly speaking, the indulgence only remits enjoined penance which would otherwise have to be performed here or in Purgatory. In so far, however, as the Bulls granting indulgence empower the recipient to choose a confessor who shall have power to absolve him even in reserved cases, it may be said to amount to 'remissio culpe', which is only conferred in the sacrament of penance. In any case true contrition and confession are insisted on. Kalteisen takes some trouble to explain 'plenam, plenioram et plenissimam remissionem' as not extending to 'remissio culpe'.

It is clear enough from the documents printed here that the people who rushed to Rome for the Jubilee indulgence, or obtained its equivalent locally in the following year, took no such narrow views of the reward of their piety and their alms. Even the bishop of Utrecht, in 1488, speaks of the indulgence granted by Innocent VIII in the previous year to all assisting in the crusade against the Turks as being 'a pena et culpa', and there can be little doubt that the ordinary preachers of indulgences and pardoners made the most of their wares. Some of the later bulls afford evidence of the abuse of previous indulgences, since they expressly except certain offences from the scope of their remission, and provide against such things as simony, the employment of pardoners, and the interference with the judgements of ecclesiastical courts in secular matters. The same conclusion can be drawn from the numerous documents which show how the civil power, and sometimes even an ecclesiastical authority such as the chapter of Utrecht, attempted to regulate the preaching of indulgences and to check the flow of money from the country. The necessity of this is obvious when we remember that not only the pope, but other foreign communities, such as the cathedral of Saintes or the order of the Trinitarians, raised money on a large scale by the sale of *Confessionalia*. The invention of printing made this traffic incomparably easier, and this aggravation of the evil doubtless hastened the breach with Rome. It is remarkable that the popes themselves were so conscious of the inconvenience of this traffic, that on the occasion of the granting of great indulgences for a crusade or for the rebuilding of St. Peter's they suspended the minor indulgences in favour of religious communities.

The opposition to indulgences is illustrated not only by the contemptuous references of contemporary chroniclers but by action taken against those who decried them. Thus in 1416 the Augustinian Nicholas Serrurier preached against the pardoners of the hospital of St. Antoine and their 'Tantony Pigs'. In 1451 the legate Nicholas of Cues, although himself charged with the preaching of the Jubilee indulgence, not only forbade penitents to give money to their confessors, but, in answer to the question whether religious might go to Rome to obtain the indulgence without the leave of their superiors, quoted the saying of Nicholas V: 'Melior est obediencia quam indulgencia.' In 1488 one Abbo, rector of Wacheningen, asserted that the business of indulgences was *mera trufa*, a trick to extort money. But the most striking attack on the system is contained in the letters of Wessel Gansfort, the Dutch precursor of Luther, of about the same date, which flatly denies the power of the pope to

remit the punishment for sin. In another generation we come to the mockery of Erasmus and the denunciations of Luther.

It is impossible to indicate the incidental information to be found in this collection. We read of the efforts of towns to obtain indulgences for the benefit of their churches, of the preparations for the solemn publication of the Bulls and the processions to meet their bringers, of the printing and distribution of the letters, and we obtain valuable evidence of the rates of exchange in the Netherlands at various dates. Especially amusing is the case of Jan van Poerle, who represented himself as having been knighted by the king of Cyprus for his services against the Turks, and peddled forged indulgences and spurious fragments of the true Cross. He had his head cut off at Kampen, as the reward of his swindling, on 7 May 1481.

C. JOHNSON.

The Life and Reign of Edward the Fourth, King of England and of France and Lord of Ireland. 2 vols. By CORA L. SCOFIELD. (London: Longmans, 1923.)

THE valuable notes, generally elucidating neglected points in the history of Edward IV, which Miss Scofield has contributed to this Review during many years past, have led all students to look forward to the publication of her complete history. With the result now presented to us in two large volumes they will not be disappointed. With all their copiousness the authoress has not succumbed to the temptation to digress on any subject which, however interesting in itself, is not directly pertinent to her narrative. As a result, the wealth of detail, which is one of the most marked characteristics of these volumes, is always brought into its proper relation with the development of the history and is never allowed to confuse the reader. That Miss Scofield should have made herself familiar with every class of records is no more than one would have expected from the specimens of her work which she has already given us. There can be little of importance which has escaped her notice. I have recently had occasion to search for new material, and except on one matter of minor importance I have found that all my 'discoveries' had been anticipated. In writing of the movements of the French fleet in the summer of 1461 Miss Scofield states that it never got so far as the Cornish coast, and discredits the allegation of Camuglio, the Milanese envoy, to that effect. But there are two documents in the Early Chancery Proceedings which show that the French actually made a landing at Plymouth on 24 May and were probably acting in collusion with the Lancastrian party. This is, however, but a small matter, and there could be no more convincing proof of the value of the material to be derived from unexplored sources at the Record Office than the contents of these two volumes. Again and again Miss Scofield has been able to throw new light on obscure points, or to put some casual reference in chronicles or letters into its true relation. Not less important is the use which has been made of diplomatic correspondence. Here Miss Scofield has been fortunate in writing after the appearance of the *Calendar of Milanese State Papers*, and of M. Mandrot's collection of the dispatches of the Milanese ambassadors in France. In addition she has made good use

of older printed sources and of the manuscript collections of the Abbé Legrand in the Bibliothèque Nationale. That English politics during the Wars of the Roses were complicated by foreign diplomacy is of course familiar ground. But the importance of their interrelation has not previously been so clearly shown. Of peculiar interest is the light which the Milanese papers throw on the mission of Francesco Coppini to England as papal legate in 1460-1 and on his influence on English politics during those years. Though the subject is less novel, the careful tracing of the complicated diplomacy of the later years of the reign of Edward IV is not less valuable, and shows in detail how completely Edward was outwitted by Louis XI. Edward was not happy in his diplomacy; the Hansards got the better of him in 1474, when, as Miss Scofield shows, Edward made the required concessions with reluctance and not, as has been sometimes suggested, from any astute motives of commercial or diplomatic policy.

In her judgement of persons Miss Scofield is generally content to let the facts speak for themselves. The king in the first years of his reign plays a somewhat more active part than is usually assigned to him. Warwick appears as actuated more definitely by personal motives than by any large statesmanship. Of the Woodvilles and Hastings an unfavourable view is taken, and the duplicity and weakness of Clarence are not undeservedly emphasized. It was not an age of great men, and nothing appears to alter materially the common opinion on Edward and his contemporaries. It is a tribute to the success of Miss Scofield's method that without attempting more than slight characterizations, she has made the chief actors in her history stand out so clearly. In another matter her method is more open to criticism. Her absorption in the diplomacy, especially that of Edward's last years, has perhaps led to some neglect of social and domestic history. Valuable though the elucidation of politics is, the more abiding interest of the fifteenth century in England lies elsewhere. The defect is only in part made good by the three chapters of 'Miscellanea' which deal with 'Edward's relations with the Council, with Parliament, and with the Church'; 'the Merchant King and some of his fellow merchants'; and 'Edward as a builder and as a patron of letters'. In all three there is perhaps a tendency to lay too much stress on the king's personality. In politics Edward was rather an opportunist than a statesman, and was always inclined to take the easiest course for the moment. His practical interest in commerce is noteworthy, but, as Miss Scofield shows, it was shared by nobles and ecclesiastics. Moreover, the export of the king's wools was no new thing, for large shipments had been made on behalf of Henry VI in 1457-8.¹ Incidentally the chapter illustrates the valuable material which may be derived from the customs accounts, imperfect though they unfortunately are. The important part which Italian merchants still played in English commerce is brought out by the account of Edward's transactions with the Florentine Caniziani, though Caniziani found it profitable to become a naturalized Englishman. The chapter on Edward as a builder and patron of letters gives an opportunity to bring together much useful information, especially as regards the early

¹ *Customs*, 74/37 at the Public Record Office.

English humanists. But it may be doubted whether Edward had any more interest in art or learning than was natural to a prince with a taste for lavish expenditure. One feels so certain that Miss Scofield could have written illuminatingly on social and economic conditions that one must regret that she has not done so more definitely. Good use has been made of the records at the Guildhall, and consequently light is thrown on the attitude of London to the politics of the time, both in 1460-1 when the city was still doubtfully Lancastrian and again in 1470-1 when it was more certainly Yorkist. From the 'Journal' Miss Scofield is able to give a correct account of events at London in October 1470; it is curious that whilst the 'Journal' contains valuable information on the period of the Lancastrian Restoration, the Letter Book ignores altogether the fact that Henry VI was at least nominally on the throne. One would have been glad, however, to have had more about the commercial growth of London at this time. But apart from any such possible defects we have in these two volumes the most valuable contribution to the history of fifteenth-century England that has been made in recent years. An appendix to the second volume contains a small collection of letters, chiefly from manuscripts in the Bibliothèque Nationale. It is a pity that there are no plans, and the absence of dates at the head of the pages sometimes makes the narrative a little difficult to follow.

I have noted a few small errors which, though only of slight importance, it may be useful to record. Thomas Hardegros (i. 202) is a mistake for Thomas Hardgrove; he was not a foreigner. 'Ormond's Inn (i. 377) was not near Smithfield, but in the better-known Knightrider Street near St. Paul's. The Christian name of Dr. Goddard, the Minorite who preached at Paul's Cross during the Lancastrian Restoration (i. 538), was William, not John. The duchess of Suffolk, who had custody of Margaret of Anjou after 1471 (ii. 23), was not Edward's sister, but Margaret's old friend the Duchess Alice, widow of William de la Pole. The 'Coldharbour' had never belonged to the earl of Salisbury (ii. 284); Salisbury's London Inn was at 'the Erber', a quite different place. C. L. KINGSFORD.

Konrad Peutingers Briefwechsel. Herausgegeben von ERICH KÖNIG. (München: Beck, 1923.)

THIS is a valuable contribution to the study of the sixteenth century. Peutinger's services to history and geography would make him a notable figure, even if he had not been also a trusted councillor of Maximilian, and his adviser and helper in many literary and artistic undertakings. The letters are not numerous, 304 spread over 56 years, 1491-1547; but much of Peutinger's time was spent in writing dispatches for the town council of Augsburg, so that it is not surprising if his private correspondence is scanty. This dual activity has increased the difficulty of Professor König's task; for, just as with Sadoletto and Bembo, whose *Epistolae Pontificiae* far outnumber the *familiares*, it has been necessary to sift Peutinger's official correspondence very carefully in order to get this residue of personal and humanistic letters. Twenty of them were exchanged with Maximilian, all but one (a preface) in German; seventeen with

Nicholas Ellenbog; twenty-six with Vitus Bild; twenty-four with Michael Hummelberg. Their interest is very varied. Trade with the East appears frequently, the Augsburgers getting leave from 'the Portingals' to send ships; which brought back parrots and shells, besides more valued products. The letters to Maximilian are concerned with a Habsburg family tree to be worked in tapestry; Roman coins and inscriptions, woodcuts and silver harness; preparations for the great tomb at Innsbruck; such new inventions as a storming bridge and incubators for eggs. Hummelberg, writing of More, depicts him as 'homo corpore pusillus sed animo et eruditione maximus', and this in 1513; one wonders whether they had ever met, or whether the description has been deflected from Erasmus, whom it fits well, by the interpolation of More's name after his in the fair copy of the letter. In 1518 Scheurl from Nuremberg passes on a poor Spaniard bound for the new pilgrimage-shrine at Loretto; who was sleeping 'sub diuo, vt pecus' in January. Peutinger's accomplished wife appears often, and their precocious first-born, baby Juliana—'junk-frau Lulilana' she lispingly calls herself—receives many salutations in the early letters. In 1521 another daughter, Constance, writing to her father at Worms sends greetings to be passed on to More's daughters in England. Elsewhere Peutinger's literary works are mentioned; his sending a printed Macrobius to be collated with a manuscript at Weissenau; and his share in the great volume of L. Senfl's *Mutetae* (motets) which was published at Augsburg in 1520. Another notable feature is that ten books are dedicated to Peutinger, by Bebel, J. F. Pico, J. A. Brassicanus, Oecolampadius, Sebastian Münster, and others. A long letter, printed for the first time, pours out a mass of information about Modena and the stages of the Roman roads leading to it, citing among other authorities the *Tabula Peutingeriana*.

Dr. König's preparatory *Peutingerstudien* of 1914 have equipped him for his task, and the result is a most satisfactory volume. In the introduction the principles adopted for printing both Latin and German—the two elements are about equal—are clearly and usefully set forth. Each letter is conveniently epitomized at its beginning; and there are two excellent facsimiles, of a medallion showing Peutinger's head, and of one of his letters. About 120 letters are printed for the first time. Of the rest a large number have hitherto only been accessible in the texts of Lotter and Zapf, which are so scarce that it was high time for them to be replaced. Very few misprints or slips are to be detected. In no. 123 Horawitz's wrong month-date is reproduced. In a few cases, nos. 193, 206, 264, the reader is referred to modern and recent editions, with no indication of the earliest source. But the only desideratum in this otherwise admirable piece of work is a calendar of the letters, to show at a glance their distribution over the years, which is very uneven. It is good news to read in the preface that the edition of Ellenbog's correspondence, which was in hand at Mindelheim before the war, has been resumed, and that an issue may be expected soon.

P. S. ALLEN.

Etude sur le Gouvernement de François I^{er} dans ses rapports avec le Parlement de Paris. Par ROGER DOUCET. 1^{re} Partie, 1515-1525. (Paris: Champion, 1921.)

M. DOUCET proposes to study in detail the reign of Francis I, which he regards as the end of the traditional and feudal monarchy and the beginning of the centralized and absolute system which continued till the Revolution. He has taken the parlement of Paris as the centre of his researches because it was imbued with the old traditions and struggled to preserve the conservative forces associated with the privileged bodies and contractual ideas of feudalism. He begins with an admirable chapter on the political theories prevalent in France and expressed by writers such as Claude de Seyssel, Almain, and Budé. These theories are based on the idea of a monarchy limited by moral obligations and subject to control, and in Budé (or at least in the early interpolations in his book) the notion of a social contract as the origin of royal power is clearly set forth. Primitive societies voluntarily handed over their liberties to kings, making with them a 'contract de bonne foy par quoi l'obligation est réciproque' so that the monarchy rests on the 'consentement des subjectz'. But these theories were in direct contradiction to the political action of the time. Francis I announced that he intended to be 'roi comme ses prédécesseurs', by which he meant that by his ordinances he could amend or repeal any of the older ordinances which contained the traditional laws of which the parlement considered itself the guardian, and he told the parlement that he claimed the exclusive right of making ordinances and of enforcing their registration without amendment. He was opposed to any corporation within the state exercising an *imperium in imperio*, and one by one the privileged bodies, the church, the parlement, the university, found their defences ineffectual, while the plan of union in a representative national assembly seems to have had no advocate. The king's constant interest was his foreign policy, and the expenses involved made it necessary for the monarchy to control all the nation's resources. This led him to his concordat with Leo X, by which he abandoned some Gallican liberties but secured control over church benefices, to his justified attack on the farmers of the revenue, and to his determination to overthrow the constable de Bourbon and to absorb the last of the important feudal domains.

M. Doucet's book is valuable partly because of its general views of constitutional development, but chiefly because he has written it from the original manuscript records of the parlement. These have, of course, been much used and many have been printed, but no modern writer has told the familiar stories of the concordat and the Bourbon trials so entirely from contemporary sources. From this close study of the parlement's own records it is evident that the kind of veto which the court possessed by reason of its right to read, publish, and register royal edicts, was of no value if the sovereign was determined to secure his will. The concordat was offensive to traditional Gallicanism, and the parlement could look to the French church and the universities for support, but beyond much argumentation and a little delay the court dared not persist in the

face of the king's anger. It registered a secret protest, and an appeal against the abrogation of the pragmatic 'ad papam melius consultum et futurum consilium generale legitime congregandum'; but Francis had his way, and could pursue his Italian policy without antagonism from Rome. It was no mean victory for the pope to secure the abandonment of the conciliar theory by the king of France.

In the domain of finance the parlement made many equally ineffectual protests against the creation and sale of new offices, and it was only in purely judicial matters, such as the first process against Semblançay and the Bourbon succession, that the court could hope to resist the royal will. At first the parlement showed itself favourable to the constable's case, but during August 1523 it issued a decree of sequestration, a change of attitude which M. Doucet finds it difficult to explain. But is it not possible that the news of Bourbon's treason was communicated in some form to the parlement during this month? The treaty with Charles V was drawn up at the interview of Montbrison on 11 July (M. Doucet shows that the generally accepted date of 18 July is wrong), and Brézé wrote to the king a warning of the treason on 10 August. In any case Bourbon had signed a treaty with Charles V before the sequestration decree, and the decree cannot be urged as an excuse for his treason, though no doubt the process against his succession had embittered him. M. Doucet's last chapter deals with the beginnings of the reform, and shows the parlement zealous for monastic discipline and for the traditional faith, while Francis I appears as the occasional protector of the new teaching. The whole book is valuable and interesting, and it is to be hoped that M. Doucet's future researches will enable him to throw light on the working of other institutions, particularly the small *conseil des affaires*.

WALFORD D. GREEN.

The Principal Secretary of State. A Survey of the Office from 1558 to 1680.

By FLORENCE M. GREIR EVANS. (Manchester: University Press; London: Longmans, 1923.)

THIS is a painstaking study of the growth of the office of secretary of state. It is more particularly concerned with the period between 1558 and 1680, because that was the period of rapid development and transformation. But it also throws light upon the office in earlier times.

The epithet *secretarius* had at first, Miss Evans observes, no very precise meaning. Even as late as the thirteenth century it was the chancellor who discharged the functions of a secretary of state. A *secretarius* of the king was an agent entrusted with secret business, a confidential agent. The epithet might be applied to certain diplomatic agents. The king's secretary, in a more definite sense an official entrusted with the king's signet, first emerges, according to Miss Evans, in the reign of Richard II. At first he was by no means a minister like the chancellor or the treasurer: he was a mere personal servant of the king. But the king was always anxious to keep as much of the state business as possible in the hands of such servants. So the secretary gained in consequence until, by the close of the fifteenth century, he was a member of the council.

With the accession of the house of Tudor he rose still more rapidly. For the Tudors gave new energy to personal government, and various causes steadily enlarged the activity of the state. Still a personal servant rather than a minister, the secretary was the natural agent of royal prerogative. Even Cardinal Wolsey felt jealous of the secretary, and after his fall Gardiner, and still more Cromwell, made the office formidable. Miss Evans suggests that when Henry, after overturning Cromwell, appointed two secretaries, he may have wished to lessen the power of either. Under Edward VI there were for a moment three secretaries, but Elizabeth was normally content with one. When held by Cecil and by Walsingham the office gained fresh consequence. About the year 1600, it appears, the title of principal secretary of state first came into use. With the powers of the office its dangers grew, for the secretary, standing in a peculiarly close and confidential relation to the king, often had to act upon his informal order and, if his action were challenged in parliament as contrary to law, could not easily avoid full responsibility.

Under the first Stuarts the secretary for a time lost influence. Neither James nor Charles appointed such able men as had served the Tudors. Favourites like Somerset or Buckingham intercepted the king's confidence and engrossed much of the secretary's business. On the other hand, the secretary was gradually becoming more of a minister in the full sense. Thus in 1614 Winwood could describe himself as 'a secretary of state, not for the private of the king but for the public of the commonwealth'. When there were two secretaries they sometimes represented two parties in the country, as for instance the Spanish and the anti-Spanish factions. They doubtless divided the work of the office in some rough fashion till in 1640 Charles made a formal division of foreign affairs between Vane and Windebank. But this and a somewhat different partition in 1662 were not absolute, each secretary interesting himself more or less in the other's province, while in domestic affairs there was no formal partition. The long parliament assigned foreign affairs to one secretary and home affairs to the other, but this arrangement did not last. Even now, indeed, the different secretaries of state are supposed to be interchangeable. The personal rule of Oliver and the ability of Thurloe made the secretary the most powerful and conspicuous of ministers. Under Charles II the transformation of the secretary from a personal servant of the king to a public servant of the state was completed. Nicholas and Morrice, indeed, were no more than capable and trusted officials. But Arlington and Sunderland were influential statesmen. Clarendon was the last chancellor to be effective head of the government. Danby as treasurer overshadowed his colleagues. But after his fall the treasury was often in commission and the secretaries assumed that commanding place which they have retained ever since.

Miss Evans shows how the secretary's original character as the king's personal servant made his function indefinite and therefore peculiarly capable of expansion. As a privy councillor, he soon came to attend at the board more regularly than any other member and, knowing more of the royal mind, spoke with unique authority. As a member of parliament he became the natural organ of the king when communicating with the

commons, although at first he shared this duty with such other privy councillors as were members. Foreign relations being more immediately the king's province, his secretary was the natural intermediary for conveying instructions to our ambassadors and for conferring with those of foreign rulers. Similarly the secretary came to have the chief concern in maintaining the peace of the realm and guarding the person of the sovereign. It was held that he was a conservator of the peace and in the commission for all the counties of England. In this connexion Miss Evans discusses at length the secretary's authority to issue warrants for the seizure of papers, to commit suspected persons to prison, to issue passes and licences to persons desirous of quitting or entering the kingdom, and to exercise a censorship over the press. She also illustrates his concern with the affairs of Ireland and the colonies, with naval and military administration, and even with the treasury. To him came, in short, almost all the business not explicitly assigned to any other minister.

A careful bibliography, lists of Stuart secretarial records and of secretaries of state, and a number of excerpts from manuscripts relating to the secretary's duties and emoluments add to the value of this solid and conscientious monograph. The text is disfigured by one or two slips, ' *Republica Anglorum* ' for ' *Respublica Anglorum* ' (p. 46); ' three more principal secretaries of state ' for ' four more ' (p. 150). When we remember the Star Chamber ordinances of Elizabeth, it seems hardly correct to say that the first attempts to regulate the press were made in the reign of Charles I (p. 8). In August 1640, it should be noted, King Charles was not in Scotland (p. 229), but in Yorkshire. F. C. MONTAGUE.

Kerkeradsprotocollen der Nederduitsche Vluchtelingenkerk te Londen, 1560-3. Uitgegeven door DR. A. A. VAN SCHELVEN. (Werken van het Historisch Genootschap te Utrecht, III, no. 43. Amsterdam : Muller, 1921.)

THE Dutch church in London, the old church of Austin Friars, which was given to the Dutch community by Edward VI, possesses rich archives, in which documents relating to the earliest times of the settlement in London of protestant refugees from the Netherlands have been preserved. The Dutch reformed church was openly organized abroad while the Netherlands were themselves under Spanish rule. The history of the refugee churches, of which London and Emden were the most important, is therefore of exceeding interest to students of the origins of the national church. Much has been published of the contents of the archives in Austin Friars from about 1870 onwards. Baptism, marriage, and burial books; *acta* of the *colloquia* of the Dutch churches in England; and especially the splendid collection of letters, published by J. H. Hessels under the title of *Ecclesiae Londino-Batavae Archivum* (1887-97). But much remains unpublished, even after Dr. van Schelven's new contribution.

The volume under review contains the minutes of the consistory over a space of about three years. They are brief, hurried notes, partly in Dutch, partly in Latin, for the most part written by one of the ministers of the church, Petrus Delenus. For a knowledge of the spiritual as well

as the moral life of a presbyterian community in those days they are invaluable. Theological disputes took up a large part of the attention of the members. Delenus's notes deal particularly with the case of his colleague Haemstede, who was excommunicated as early as 1560 for leanings towards anabaptism, but whose followers remained in a state of spiritual unrest. The bishop of London, who had powers of supervision over the church of the strangers, and the archdeacon of Westminster, to whom it had been reported that 'there is greate division, ranter' [? *sc. rancer*] 'and malyce and sedicion among' the brethren, were at different times called in to compose the quarrels.

For the rest the consistory had mostly to deal with marital difficulties and moral delinquencies, distributing admonitions and punishments. There are many entries to show that close relations were entertained with the consistories which, in spite of the persecution, had been formed in the mother country, particularly with that of Antwerp. Of course 'Dutch church' is a misnomer, if 'Dutch' is understood to mean (as it is understood nowadays) 'relating to the Northern Netherlands'. The Austin Friars congregation became Dutch in that sense only after the reconquest of the southern provinces by Parma had eradicated protestantism there. In the years 1560-3 it would appear as if a majority of the members of the Dutch community came from Antwerp and Flanders.

P. GEYL.

Correspondance de Bonaventura Vulcanius pendant son séjour à Cologne, Genève et Bâle (1573-1577). Publiée et annotée par H. DE VRIES DE HECKELINGEN. (La Haye : Nijhoff, 1923.)

DR. DE VRIES has interrupted his history of the incubation of Dutch Calvinism at Geneva in order to print an important collection of letters, written by and to Bonaventura Vulcanius during four years when his literary activity was great. The sources are original and authentic: Vulcanius's collections in the university library at Leiden, consisting of his own rough drafts and of the letters he received, so that all are autograph; and only a few have ever been printed before. Vulcanius (de Smet) was the son of a magistrate of Bruges, who in his youth had been a friend of Erasmus and had spent some time in an English household. The son (born in 1538), after completing his education at Louvain, sought his fortune in Spain, where for ten years he was secretary to Cardinal Mendoza, bishop of Burgos, and then to an archdeacon of Toledo: till in 1570 he returned to the Netherlands in the train of the duke of Medina Celi. The present correspondence opens with Vulcanius at Cologne, where he was for a short while professor of Greek, until a scandal—not apparently very serious—obliged him to retire hurriedly to Switzerland, in order to escape arrest and a fine. Till 1577 he remained at Geneva and Basle, working upon a translation of Arrian and an edition of one of the treatises of Cyril; and in 1578 he returned to Leiden, to spend the rest of his life there—he died in 1614—as professor of Greek and one of the leading personalities in the university.

The letters are full of interest, in many directions. Europe was, as

only too often, unsettled and distressed. On all sides there are wars : in France Languedoc is the scene of fresh horrors, before the echoes of the Bartholomew are stilled. Spanish troops cause anxiety in the Jura, and Antwerp in 1576 falls to ' the Spanish fury '. Transylvania has been ravaged by the Turks, and provision must be made for the refugees ; in Poland, rumour reports, bigamy is to be permitted, because so many men have perished in the fighting. At sea Don John of Austria is active. Vulcanius saw at Frankfort a mummy bought by the town physician from an Italian, who had it from a captured Turkish ship. But in northern waters Spain was less triumphant ; and Vulcanius laments a precious box of manuscripts lost, because the Gueux cut off one of the vessels in the fleet as he was sailing from Spain.

The world of learning, with which he was mainly concerned, has changed greatly in half a century. The age of great rough-hewn editions is over. Scholars are engaged not in quarrying, but in sifting and polishing ; instead of long lines of folios, their output is mainly in quartos and octavos. The preliminary work has been done ; and though revision of it is needed, there is less ardour for the big tasks. Also there is more to gather that is new, now that libraries, public and private, have been searched more diligently, and made accessible to many. Vulcanius writes easily of consulting manuscripts in Rome and Spain, at Vienna or in Bavaria ; the Fugger library at Augsburg, Camerarius's in Nuremberg, John Dee's in England are all within his reach. Manuscripts are plentiful ; and on leaving Geneva Vulcanius presents the town with one of eighth-century gospels handsomely bound. Technical conveniences have developed : Robert Stephanus's bold division of the Bible into verses—undertaken as a pastime, when fleeing from persecution—proves of real assistance to scholars, in the days of minuter study. There is great variety in the books published : a striking number are musical, collections of motets occur frequently, and the songs of Orlando di Lasso. Famous names appear : Clusius is roundly charged with having stolen most of the information which he brought from Spain out of Nebrissensis. Plantin at Vulcanius's suggestion sends bales of books to a bookseller at Toledo. A manuscript is cited which had belonged to John Clement, and is now with his son in Louvain. Thomas Rehdiger, the rich young antiquary to whom Breslau owes so much, is Vulcanius's patron ; helping him munificently, till his death shatters their schemes. Henry Stephanus is as morose to the authors for whom he printed as he was to his son-in-law Casaubon.

The Latinity of the letters is good and clear : a familiar Greek phrase occurs as ' ne Gry quidem ', perhaps derived from Plautus, of whom there are other reminiscences. On the whole the reading is easy and straightforward. Vulcanius's admiration for Erasmus appears repeatedly. Staying with the Frobens in the house ' zur Luft ' at Basle, ' in musaeo Erasmi ', he feels that the great master's example spurs him on to diligence. He carries about with him, and shows to his friends, a letter which Erasmus had written to his father. The original—which has recently been acquired by the Fitzwilliam Museum at Cambridge—has in consequence suffered not a little. It is noticeable that in writing of the letter, Vulcanius misquotes the year-date, although it is quite clear in the manuscript. When visiting

Berne, he found two unpublished letters of Erasmus in the collection formed by the Musculi, father and son; and started to gather others for publication. Thirty years later he handed over what he had found, and copied none too carefully, to Merula. It is a pity that Dr. de Vries has missed this Musculus collection, which is now at Zofingen. It contains three actual letters written by Vulcanius to Abraham Musculus, for which Dr. de Vries has had only rough drafts, or in one case seventeenth-century copies: his nos. 90, 117, 126. The first has a postscript mentioning the project of collecting Erasmus's letters; the third is complete, instead of unfinished, and has a definite month-date, 7 July.

The volume is handsomely and worthily produced. It falls into two main sections, Vulcanius's own letters in one, and the letters to him in another, each chronologically ordered: an arrangement which causes much turning backwards and forwards if one reads consecutively, and which deprives the actual numbers assigned to the letters of any chronological significance. The notes, which are in French, are admirable. To one who seeks for books published after 1536, bibliographical help is scanty; and in general the only method of finding out the rarer books of this period is by patient search through one library after another, and with few catalogues printed. Yet Dr. de Vries has seldom failed to trace any book mentioned in the letters. The biographical notes are short and to the point; and there are five excellent indexes, of persons and places, of printers and publications, and manuscripts. It must be mentioned that there are a considerable number of misprints in the text, and that the punctuation is sometimes inadequate. A facsimile of Vulcanius's handwriting would be interesting, and a table of letters would increase the value of the book as a work of reference. But when Dr. de Vries has given so much, to dwell upon blemishes is ungracious.

P. S. ALLEN.

A History of the Maratha People. Vol. ii, *From the Death of Shivaji to the Death of Shahu.* By C. A. KINCAID and RAO BAHADUR D. B. PARASNIS. (London: Milford, 1922.)

THE first volume of this book was noticed in this Review in 1919.¹ The history is now carried on from the accession of the unworthy son of Shivaji in 1680 to the death of Shahu, the last able sovereign of the house, in 1748 and the final passing of the Bhosle family into their prison palace at Satara. Mr. Kincaid, the actual author of the book, part of whose distinguished Indian service was passed in the Maratha country, is clearly very sympathetic to the genius of the Maratha race; indeed it might be argued that his sympathies sometimes sway his critical judgement. He has endeavoured, and with considerable success, to extend our knowledge of a period, the main features of which are already pretty familiar, by utilizing contemporary sources, especially the collection of papers made by Mr. Parasnis, and the researches of the vigorous new Indian historical school. The fact that he is only able very occasionally and on rather trivial points to offer any corrections of the statements of Grant Duff is

¹ *Ante*, xxxiv. 597.

less a reflection on his industry and thoroughness than a strong testimony to the merits of the older writer. On no point of real historical importance—except possibly the accepted account of the rapid rise of Balaji Vishvanath—does this work add to, or invalidate, our existing knowledge of the period.

It is not of course meant that such a book was not well worth writing. There are some new facts, many picturesque touches, and an attempt, not altogether unsuccessful, to throw new light upon the leading actors in a drama which—this is of course no fault of the historian—is too crowded with the staple incidents of oriental dynastic intrigue and ineffective fighting, and too little relieved by any development of individual personality or national policy. A western critic is likely perhaps to be unfair to a work of this kind. It is intended primarily for, as it is dedicated to, the Maratha people, and no doubt every nation has a right to demand a record of its past—the most faithful that can be compiled—even though the result may be neither particularly attractive as a piece of historical narration, nor afford much material for the reflections of the political philosopher. But, for all that, in the first part of the book Mr. Kincaid seems rather to have missed even such success as was attainable. The slow Mogul conquest of Bijapur and Golconda, the wearisome details of the guerrilla war with the Maratha chieftains, and the dynastic intrigues at Satara are narrated at too great length for the interest not to flag. The story is entangled with a good deal of rather puerile legendary matter to which Mr. Kincaid—though in a half-hearted way—seems to think himself bound to attribute some importance. With the account of the rise and power of the Peshwas, the history improves in interest and coherence, and the author's treatment of it in style and vigour. The characters of the Peshwas themselves are drawn with insight and discrimination. The characteristic achievements of each are clearly set forth. The volume ends with an effective allusion to the sixty-eight years' captivity of Shivaji's royal line in Satara fort, that poignant tragedy of enforced idleness and hope deferred.

As time went on, the rigours of their captivity were softened. A throne was built on the northern bastion and on it the heirs of Shivaji used to sit. In their ears their servants would whisper that their empire extended far beyond the distant line of hills to the waters of the Jumna and the walls of Attock. But in reality their dominion ceased at the parapet, on which they rested their indolent feet. Their deliverance was in the end effected by the coming of a foreign power. It opened the prison gates that Tarabai had closed and created a little principality for the *fainéant* kings of Maharashtra.

Mr. Kincaid seems a better judge of the comparative value of Indian than of European authorities for his subject. Malletson's *History of the French in India*, in spite of its considerable merits, is sadly lacking in impartiality and has been largely superseded. Mr. Kincaid would be on much surer ground if he were to consult the works of men like P. Cultru, H. Weber, and S. C. Hill and A. Martineau. In conclusion I should like to demur mildly to the attribution of either learning or profundity to the historical writings of Voltaire.

P. E. ROBERTS.

The Dutch Alliance and the War against French Trade, 1688-1697. By G. N. CLARK. (Manchester : University Press ; London : Longmans, 1923.)

THIS book (part of which has already appeared in this Review), like many of its predecessors in the excellent series of Manchester publications, deserves the widest attention of historians not only as treatment of a certain 'period', but as an attempt to elucidate the principles and technicalities of a central subject of international historical life, the development of trade warfare at sea, from a classical stage of its development, the commencement of the great Anglo-French trade wars. It is indeed with high pleasure that one compares this modern method of research to the vast literature heaped up by former generations on events the historical 'meaning' of which was not to be exhausted, in many points not even to be touched, from the traditional point of view of the state and of the statesman. It may be stated as the broadest result of Mr. Clark's investigation that the history of war trade and trade war is a rich mine of interest to the economic and social historian just for the peculiar ways in which the autonomy of business connexions and traditions is seen cutting across even the sternest decrees and tendencies of political *ultima ratio*. The book is based on exhaustive reading in Dutch archives and Dutch literature which has rendered its author particularly valuable services because English information on the foreign policy of the Glorious Revolution, both printed and unprinted, at least for the time before the war of the Spanish Succession, seems to be comparatively defective.

The most fruitful 'direct' sources for the procedure of commercial warfare have been the papers of the Dutch missions sent over to England after the accession of William III for the purpose of regulating the general and very complex consequences of what would be very inadequately described by the modern juridical notion of 'personal union' between the two commercial rivals of France, but at the same time of each other. Only the smallest part of these papers has hitherto been accessible in contemporary and modern publications. England's formal disadvantage in entering the negotiations with a bureaucratic apparatus rather disorganized by the Revolution was more than compensated by the material bias of the stronger national community which from the first drew the new foreign ruler the more exclusively over to its side as he could now bring its monarchic power, however constitutionally hampered internally, to bear on his own republican country. This uneven political balance between the two anti-French allies as set out in Mr. Clark's scholarly second chapter puts into special relief the systematic disquisitions which follow on the aggressive and defensive means of trade war : privateering and the prohibition and readjustment of belligerent and neutral trade. For England's traditional endeavours as a sea power to wage against her enemy *la guerre absolue* regardless of the rights of neutrals are here shown to have been almost entirely frustrated by the difficulties of co-operating, as a close political ally, with a jealously distrusted economic competitor, by difficulties with the two Scandinavian kingdoms who were the leading neutrals and indispensable furnishers of shipbuilding material and even

of shipping, and, last not least, by the inner friction of military and economic war policy, e. g. in the control of privateers or the concurrent demand of men for the navy and the commercial fleet.

The author has taken much trouble, for which the student of international law will thank him no less than the historian, in collecting the scanty theoretical references to the events he inquires into contained in contemporary pamphlets and modern legal text-books. In this respect there is one little point which strikes me as a neglect of current legal doctrine. As to the English attempts, inaugurated by Elizabeth, to include corn in the lists of contraband, Mr. Clark mentions (on p. 116, n. 4) that, e. g., the Anglo-Dutch treaties of 1667 and 1674 had explicitly exempted this standard food, but adds that this 'does not, of course, affect the claim when made against parties who were not signatories of the treaties which contain it'. This seems at least far from self-evident, as the very existence of an international community of the law of nations has always tended to presuppose, unlike the private law of contract, a certain 'self-binding' force of international treaty rights over against parties not included in the treaties. But even passing remarks like this can only contribute to showing what a new field of many-sided inquiry the book has opened.

C. BRINKMANN.

English Local Government: Statutory Authorities for Special Purposes.

By SIDNEY and BEATRICE WEBB. (London: Longmans, 1922.)

THE book contains more than its title. Since it is the last volume (or perhaps the penultimate volume, for there is in it promise of one on Poor Relief) of Mr. and Mrs. Webb's great study of local government from 1689 to 1832, two solid chapters—about a quarter of the whole—are given to general discussion of the Old Principles and the Emergence of the New Principles in the local government of the period, including those parts of it dealt with sixteen years ago in *The Parish and the County* and *The Manor and the Borough* and, eleven years ago, in the *Story of the King's Highway*, not to mention what was handled in by-volumes on *Prisons* (1922) and *Liquor Licensing* (1903). Some of the ground covered in the *King's Highway* is covered again, though with a rather different aim, in the chapter of the present volume given to the turnpike trusts. Partly for that reason, and partly because the trusts have received more attention from other historians—especially from Mr. W. T. Jackman, whose two volumes on *Transportation in Modern England* have hardly received the attention which they deserve; perhaps because they are dated 1916—this chapter is not so fresh and obviously original as the other 'research' chapters. These deal with the Court of Sewers, the Incorporated Guardians of the Poor, and the Improvement Commissioners.

In the immense task of documentary and general research, upon which these chapters are based, the authors have been aided—as in all their work—by a well-directed staff of assistants. Mr. and Mrs. Webb excel in the business organization of historical production. 'Among those whose work is embodied in the present volume' (p. vi), the reviewer, like the authors, is—in public duty—bound to mention Mr. F. H. Spencer,

Mrs. Spencer, Miss Bulkley, and Miss Hadley. 'Among' suggests that there be many to whom he can erect no memorial. It should be added that Mr. Spencer embodied much of his work in his *Municipal Origins*, 1911, of which the authors make extensive use.

The local acts of parliament are almost more important than the documents. Mr. and Mrs. Webb very rightly censure the neglect of them by general historians, such as Lecky, and even by such professed specialists as Nicholls in his *History of the English Poor Law*. They and their staff have consulted some eighteen hundred of these acts, in itself an achievement deserving of memorial. Their central argument, that it was from the statutory authorities of the eighteenth century far more than from the old parish, borough, or county that nineteenth-century municipal government and—still more—municipal administration developed, is so important and, in spite of anticipations—not only by Mr. Spencer, their collaborator; Maitland had apprehended it¹—so new in all its working out and illustration, that both the labour with the private acts and that among the records of widely scattered bodies of commissioners are most abundantly justified. It is unlikely that the work will ever be done again.

The courts of sewers take Mr. and Mrs. Webb far beyond the private act, beyond even the public act (15 Chas. II, c. 13) which incorporated the Governors, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens, into the society of the Lords of the Level of Romney Marsh, the ancient juries of the Glastonbury fens, and the Lincolnshire dyke-reeves. The manuscripts both of the Lords and of the juries have been ransacked; for Lincolnshire they can lean on the admirably thorough modern work of W. H. Wheeler, besides the older books. They come nearer their own personal interests and deeper into the flood of manuscripts as they approach the metropolitan courts of sewers, and trace the unsavoury, but intensely important, story of the transformation of bodies intended to keep out high tide on the Thames and control the land-water of low-lying areas about the metropolis into bodies who found themselves required—and failed—to get rid of the faecal refuse of Greater London. The Westminster court, it should be noted, was handling the urban problem from its early days (its manuscript records begin in 1659); Sir Edmund Bury Godfrey is its treasurer; it consults Sir Christopher Wren; and at that time it showed a 'high-handed efficiency' (p. 74). After the Revolution it went to pieces, administratively considered, though it seems to have remained honest, if given to jobbery. It got worse during the critical years 1780–1820; and was 'run' from 1808 to 1835 by a certain George Saunders, of whom a very unpleasant portrait is drawn. The Holborn and Finsbury commissioners, on the other hand, reformed by private act in 1814, became very efficient, and provided scope for one of the earliest drainage experts, their surveyor, John Roe.

The Incorporated Guardians of the Poor were at first mainly municipal authorities, created to deal with that amalgamation of urban parishes for the purpose of poor law administration which became so obviously

¹ See *Township and Borough*, p. 95.

necessary at the end of the seventeenth century. Though they themselves have not been much studied by historians, much of their work—e.g. the urban workhouse—is fairly familiar to those interested in poor law history. Their constitutional importance lies in the fact that they supplied the model for the 1834 organization of ‘administration by committees, for unions of parishes, through salaried officials, with the workhouse in the background’ (p. 109); also they combined with the paid executive an ‘elective controlling power’. Towards 1760 the rural hundreds of Carlford and Colneis in Suffolk followed these urban precedents: they were widely imitated by other hundreds in Suffolk, Norfolk, and occasionally elsewhere. Mr. and Mrs. Webb have followed in manuscript the rather melancholy story of several of these houses of industry, one of which was pilloried by Crabbe early in the nineteenth century.

The manuscripts of the turnpike trusts are among the most inaccessible of British records, ‘mostly hidden away in solicitors’ offices’; but our authors have made use of some half-dozen series. They have found their best information, however, in ‘the (literally) tens of thousands of bills, petitions, reports . . . and proceedings in Parliament . . . relating to roads’. These new trusts ‘were intruded into the complicated hierarchy of English Local Government without any consideration of what should be their relations to . . . the Parish and the County’ (p. 165), though a vague power of supervision by quarter sessions was assumed. On top of the private acts were imposed the cumbrous General Turnpike Act of 1773 and its successors. There was no system anywhere, and ‘practically a whole century of disconnected effort’ (p. 177) was required to make even the North Road tolerable. Meanwhile France, Mr. and Mrs. Webb might have noted, had her school of ‘bridges and highways’ and a national, if defective, road policy. Turnpike finance was deplorable, as Adam Smith knew. Yet it is perhaps hardly fair to the trusts to hide away in a foot-note (p. 206) the fact that the system, in 1824, was ‘the envy of a French traveller’. It was in fact the envy of all foreign travellers, though a Frenchman’s witness is of course the most important. Mr. and Mrs. Webb are not quite free of that secular complacency which cannot understand why the men of former centuries—who in fact accomplished great things—were so stupid, knavish, and lacking in foresight.

Almost more important than the turnpike trustees were the numberless bodies of commissioners for police, paving, lighting, and general improvement. Sometimes the creation of an efficient close borough, like Liverpool; sometimes the resort of local patriots in growing towns governed nominally by a manorial court leet, like Birmingham; sometimes the joint work of common council and the leaders of the town outside it, as at Leeds—improvement commissioners ‘were the progenitors of nearly all the activities of our present municipalities’ (p. 236). Mr. and Mrs. Webb’s history of them is a magnificent piece of work that can neither be summarized, because of its infinite variety, nor criticized, because of its complete originality. The commissioners are barely referred to in any general narratives; none of their designations are to be found in Dr. Cunningham’s index, except that of harbour commissioners; and although local histories do not always neglect them quite so much as our

authors suggest—Baines's *Yorkshire*, for instance, refers to them a good deal—they have never been properly handled before.

Generally their members sat for life and filled vacancies by co-option (p. 244, &c.); sometimes they were part elective, part *ex officio*; after 1820 an element of election becomes rather more common. The 'police commissioners' who 'governed Manchester and Salford' (p. 245 n.) illustrate the evolution. At first a small co-optive body (1765–92), they became a body of £30 householders in 1792, and an elective body—though not on a popular franchise—in 1828. They are specially attractive to Mr. and Mrs. Webb because they started 'municipal' and quite extra-legal gasworks in 1817. Such vigour and enterprise was, however, rare in improvement commissioners: most were content to do a little paving and lighting and a little elementary 'police'.

The 'Old Principles' of local government, as summarized in chapter v, may be reduced to the principle of complete non-intervention by the central government after the Glorious Revolution; the absence of all system except the system that dead institutions shall never be buried; the decay of the ancient 'obligation to serve' in local office; the accompanying decay of what our authors call the 'vocational basis' in guilds, companies, and so forth; and the reliance on the 'oligarchical principles' of co-option, the freehold office, and the property qualification. Before summarizing the 'New Principles', Mr. and Mrs. Webb summarize the effects of 'the Industrial Revolution' on local life, in sections which leave something to be desired. The suggestion (p. 398) that before this revolution—whose start is never precisely dated, though one passage (p. 416) suggests the late seventeenth century—the 'great bulk of the inhabitants of England' were 'independent producers, owning the instruments and the product of their labour', is definitely misleading. Gregory King, for one, thought that rural 'proletarian' families—'labouring people and outservants', 'cottagers and paupers'—outnumbered what may be called 'entrepreneur' families by nearly two to one; and there is plenty of evidence of the same sort from industry. Surely it is an error to trace the lath and plaster houses of the Strand in 1768 to the modern jerry-builder (p. 403). Statistics do not bear out the statement that, in the late eighteenth century, 'the number of births everywhere increased by leaps and bounds' (p. 405); and though the next clause, 'the death rate, at all ages, was enormous', is true, the two clauses conceal the fact that the main cause of population growth in that age was not a vastly greater birth-rate but a falling death-rate. No doubt the Industrial Revolution in some ways stimulated crime (p. 407 *seqq.*); but to take as illustrations of this London criminal records between 1740 and 1760 is unfortunate. If the term Industrial Revolution is to have any precise meaning, the growth of London before 1760 can hardly be connected with it. Or again (p. 411), 'from the middle of the eighteenth century desperate mobs of destitute persons appear on the scene, enraged at one or other result of the Industrial Revolution'. Such rage there doubtless was; but the first illustration, a Manchester food riot of 1762, was due to a sharp rise in food prices which might have produced riots in any earlier age. Some of these points are small; but taken together with others of

the same sort they help to uphold certain historical superstitions which ought to be dying.

The 'New Principles', not all good, which were brought to bear on the new—and, of course, very wretched—urban environment are grouped and labelled in Mr. and Mrs. Webb's familiar, masterly, if somewhat over-formal style—the new conceptions of political liberty and personal freedom; utilitarian faith in new 'social contrivances'; reliance on the contractor and the lowest tender; the growing tendency to view government as an 'association of consumers'; government by elected representatives; the emergence—under turnpike trusts, improvement commissioners, and the like—of officers with adequate salaries; and the rise of specialized departments of the central government, such as the Poor Law Commissioners. The last section of this great book has the significant heading—'But still no system of local government'. J. H. CLAPHAM.

Great Britain and Prussia in the Eighteenth Century. By SIR RICHARD LODGE. (Oxford: Clarendon Press, 1923.)

SIR RICHARD LODGE'S Ford Lectures, now issued in book form under this title, will serve a useful purpose in drawing attention to the relations between Great Britain and Prussia from 1715 until the French Revolution. Their value chiefly consists in the careful way in which Sir Richard has chronicled the somewhat bewildering changes in the relations between the two countries during that period, and in the light he has shed upon the very interesting ministers sent to Berlin by this country during the eighteenth century, especially on that little-known diplomatist, Ewart, who for a brief period was the most influential figure in the Prussian capital. But though he takes great pains in elucidating each diplomatic imbroglio as it arises, and in explaining the reasons for the hot and cold fits which each court had from time to time in its relations with the other, yet it cannot be said that he leaves the reader with any broad and clear vision of any principles that can account for these vagaries. No doubt the principles can be apprehended by one who studies carefully the details here set forth, but it would have added greatly to the interest and value of the book, had the author kept steadily before the reader's mind the background of national interests which account for and illuminate the often tiresome negotiations and apparently inexplicable changes of policy.

The real fact is that England and Prussia were during that period moving in orbits, which occasionally, it is true, impinged on one another, but in the main were quite separate. England's great adversary during most of the period was France; she feared her as a commercial and colonial rival and as one that could even threaten her naval supremacy. Prussia was not in those days much concerned with France, at any rate directly; her territorial ambitions were then principally to the south and to the east, where she fell foul of Austria and Russia, and for a considerable part of the century she had a common object with France in attempting to wrest the supremacy in Germany from the Habsburgs. Thus the only time during which there was a real community of interest between England and Prussia was during the Seven Years' War, when the chief enemies

of both, France and Austria, happened for the nonce to be united. The other occasions when there were temporary *rapprochements* between the two nations were of an almost casual nature, to meet some passing need or avert some passing difficulty. Such were the common interests of England (with Hanover) and Prussia in saving some of the Swedish loot forfeited by Charles XII and in preventing Russia from getting complete control of the Baltic; or again at the end of the period there was the need for both powers—but for very different reasons—to prevent France from turning Holland into a dependent state. But as soon as those objects were attained or those dangers averted, the two states reverted naturally to the independent pursuit of their often irreconcilable objects. Throughout the period England, as Sir Richard shows clearly in regard to the events of 1787–91, was always inclined to be tender to Austria, even when Austria ranked as an ally of France, as her best potential ally against that very France, while Prussia never could regard France for long as her most formidable enemy. For this reason we should have been grateful had Sir Richard dwelt at greater length on the most illuminating incidents of Carteret's relations with Frederick during the war of the Austrian Succession. These incidents seem to us the most useful of any during the whole period for explaining the relations or rather general absence of cordial relations between the two countries. Carteret himself started with the utmost desire to be on the closest terms with Frederick, for, he said in 1739, 'if you have no hope of Prussia, you will not have a word to say in Germany'. But unfortunately in that same speech he made the mistake of supposing that Prussia's most natural enemy, as well as England's, was France, and largely owing to this mistake, in spite of its brilliant beginning, his ministry ended in failure. For he thought it possible to unite our ally Maria Theresa with Frederick in a great war against France; on the other hand Frederick had no quarrel with France, whereas his firm intention was to weaken the queen of Hungary as much as possible.

BASIL WILLIAMS.

The Alliance of Hanover. A Study of British Foreign Policy in the Last Years of George I. By JAMES FREDERICK CHANCE. (London: Murray, 1923.)

THIS is a remarkable book. Rarely has diplomatic history in this country been treated on so large a scale as to allow 750 pages to be devoted to little more than two years. Mr. Chance is creditably known by his researches into our relations with Scandinavian states in the early Hanoverian period, and their result was published in his substantial volume on *George I and the Northern War*. He has now produced, as a sequel, a still more substantial volume on British foreign policy from 1725 to 1727. And this is only an instalment, if the story is to be completed. The settlement adjusted at the time of George I's death was only partial and provisional, and the prolonged disturbance in Europe with which the alliance of Hanover is associated was not finally terminated till 1731.

Since the discovery of the long-concealed secret treaty between Ripperda and the Austrian ministers, the outline of Mr. Chance's story has become

tolerably clear, and he adds rather volume than novelty to our knowledge. The first attempt to upset the Utrecht settlement, which is associated with the name of Alberoni, was frustrated by the Quadruple Alliance and the compulsion of Spain to accept its terms by the treaty of London. The unsettled questions, such as the claims of Don Carlos to Italian duchies, and the Spanish demand for the restoration of Gibraltar, virtually promised by Stanhope and George I, were left to the Congress of Cambray. Their settlement was obstructed by the weakening of the Quadruple Alliance, and by that union of the hitherto severed branches of the house of Bourbon which seemed to be achieved when Don Luis of Spain was married to a daughter of the Regent Orleans and Louis XV was betrothed to the infant daughter of Philip V and Elizabeth Farnese. Further obstruction was provided by the emergence of new problems; the foundation of the Ostend Company, which broke off the alliance of Austria with the maritime powers, and the promulgation of the Pragmatic Sanction, which was designed to secure the undivided Austrian inheritance to the daughters of Charles VI, if he should die without leaving a son to succeed. To such a settlement of the Austrian succession France was inevitably opposed, and it therefore became imperative for Charles VI to weaken France by reviving discord between the two courts of Versailles and Madrid. This task was facilitated by the reckless action of the duke of Bourbon in repudiating the young king's engagement to the infanta in order to provide him with a more mature bride in the person of Maria Leczynska. The other matrimonial link had been broken in the previous year by the sudden death of Don Luis, after a brief reign during his father's abdication. The little infanta and the still girlish ex-queen of Spain were both sent back to their native countries. In consequence of these events Ripperda was able to conclude at Vienna, on 30 April 1725, a political and commercial alliance between Spain and Austria.

So startling a diplomatic revolution as the reconciliation of the apparently irreconcilable opponents Charles VI and Philip V gave rise to the usual crop of terrified conjectures as to secret engagements. The union of the two leading Roman catholic states boded ill for protestantism in England, in Germany, and in Europe generally. It would encourage and probably assist the Jacobites in a new rising against a still insecure and unpopular dynasty. The recognition by Spain of the Ostend Company struck at the trade interests and the alleged treaty rights of the maritime powers. The guarantee of the Pragmatic Sanction, combined with the rumoured intention to marry the prospective heiress to a Spanish infant, threatened to revive the empire of Charles V. If, as was possible, the French crown should fall to the Spanish Bourbons, the empire of Charles V would become the empire of Charles the Great. The liberties of Germany, the independence of France, and the balance of power in Europe, were alike endangered. To meet these dangers—largely imaginary—Townshend adjusted with the French envoy the alliance of Hanover on 3 September, and Frederick William of Prussia, an incongruous ally, was drawn by the treaty of Charlottenburg and by the prospect of a double marriage with the house of Hanover into a league with whose objects he had little concern. The result of this hasty and ill-considered step was to intensify the

dangers which it was designed to avert. The emperor, bound in honour to maintain his Ostend Company, and resolute to uphold his Pragmatic Sanction, granted to Ripperda on 5 November the secret treaty which had hitherto been refused. Two of the three archduchesses were to marry Don Carlos and Don Philip, and in certain contingencies the bride of Don Carlos was to be the coveted heiress. Ripperda returned exultant to Madrid, and, though his egregious folly and vanity brought about his speedy downfall, his policy survived his tenure of office.

During 1726 strenuous military, naval, and diplomatic preparations were made for what appeared to be an inevitable war. At every European court, great and small, including even many of the minor courts of Germany, the agents of the two leagues struggled against each other to gain adherents. The Hanover allies succeeded in gradually overcoming the dilatory and selfish hesitation of the Dutch provinces, and, after a still longer struggle, they were able to strengthen their position in the north by securing the direct adhesion of Sweden and the indirect support of Denmark. But they met with a number of serious checks. Peter the Great had bequeathed to his widow his grudge against George I, and this was intensified by Catharine I's devotion to the interests of her son-in-law, the duke of Holstein-Gottorp, whose claims to Sleswick were barred by George I's guarantee to Denmark and who had also claims to the crown or the succession in Sweden which England and Hanover would certainly oppose. Catharine was also alarmed by English and French intrigues at Constantinople, and Russia became a party to the league of Vienna. This had the double result of extending the area of disturbance to the Baltic states and of alarming Frederick William, who was induced by Seckendorf to desert his allies, though the failure of Austria to fulfil the treaty of Wusterhausen postponed his transference to the hostile camp. In Germany the four Wittelsbach electors, of Bavaria, the Palatinate, Trier, and Cologne, in spite of their antagonism to the Pragmatic Sanction, remained loyal to Austria and Roman catholicism. The protestant princes, with the exception of the landgrave of Hesse, showed none of that sturdy religious zeal which Hanover demanded from them. Worst of all, Sardinia, whose alliance was necessary to enable the allies to attack Austria in its most vulnerable point, demanded concessions which it was impossible for them to grant. To make up for these diplomatic failures, England sent a fleet to the Baltic, to hold Russia in check, and squadrons to the Gulf of Mexico and the Spanish coast, in the hope of intercepting the treasure fleet on its way from Porto Bello. In the midst of these exertions of all kinds, the very existence of the league of Hanover was endangered by the downfall of the duke of Bourbon and the accession of Fleury to ministerial ascendancy in France. The anticipated change of French policy was averted by the one diplomatic triumph of the elder Horace Walpole, but henceforth, though Fleury remained firm to the alliance, there was a notable change in the outlook of France. To Bourbon the arch-enemy was Spain, whose rulers he had injured and insulted. To Fleury the main object was the weakening of Austria, whereas Spain was a lost ally whose friendship was to be recovered as soon as possible.

In 1727 the war seemed actually to have begun. The British ministers

were dismissed from the courts of Vienna and Madrid. Spain, whose flotilla evaded the English cruisers, laid siege to Gibraltar, and captured one of the South Sea ships. England formally summoned her French and Dutch allies to fulfil their treaty obligations. Plans were made to blockade Ostend, and to protect the United Provinces and Hanover against any punitive measures on the part of the emperor. That war was ultimately averted was not due to the alarm inspired by the allied preparations, but partly to the resolute persistence of Fleury, and mainly to the essential hollowness of the Austro-Spanish alliance, which might have been foreseen. Charles VI had no interest in Gibraltar, no desire to see the Bourbons aggrandized in Italy, and a growing conviction that, without further maritime assistance, he could not defend the Ostend charter. At the eleventh hour he intimated to France his acceptance of the preliminaries of peace, with the usual reference of disputes to a European congress. Elizabeth Farnese railed and rebelled, stuck to the siege of Gibraltar, and postponed acceptance as long as she dared. But her fury was futile, and the clouds of war had rolled away for a time when George I died at Osnabrück on 22 June 1727.

The above outline Mr. Chance has filled in with an exhaustive summary and occasional transcript of the instructions and dispatches exchanged between Whitehall and the British agents in the various courts of Europe. The originals are mostly to be found in the Record Office and in the Newcastle papers in the British Museum. Some of them have been used and transcribed by Archdeacon Coxe in his *Memoirs* of Sir Robert Walpole and of Lord Walpole. In addition to these authorities, Mr. Chance has drawn supplementary information from printed collections of continental diplomatic documents. To the summaries and extracts he has appended the very minimum of explanatory comment. The reader is left to draw his own conclusions from an abridged version of the contemporary evidence. The result is something like a bewildering chaos. To construct from such a mass of materials anything like an intelligible narrative would have taxed the literary skill of French masters of the art, such as Sorel or Vandal. To such skill Mr. Chance has no pretensions, and it is only fair to state that he has made no attempt at emulation. He has collected his material with the most painstaking industry, and he has arranged it all with the nearest possible approach to chronological sequence. The frequent transitions which this necessitates increases the difficulty of following the narrative. Mr. Chance is not content to concentrate his attention on the vitally important courts of Vienna, Versailles, and Madrid. He is equally full on The Hague, Stockholm, Copenhagen, and Berlin, and almost as copious on St. Petersburg, Munich, Mannheim, Dresden, Warsaw, and Lisbon. Much is abridged, but little is omitted. Even the futile conjectures and rumours reported by bewildered ambassadors are recorded, and it is surely needless to reproduce in a condensed document the misspelling, especially of proper names, which is so characteristic of eighteenth-century diplomatists. The little chapters into which the narrative is broken up turn with kaleidoscopic rapidity from two months of futile diplomacy at one court to two months of equal futility at another. Occasional decisions on one side or the other are with difficulty

picked out from the bewildering record of failure. The names of obscure and forgotten diplomatists are thrust upon the reader's notice without any introduction. At times, but by no means always, the index supplies the desired identification. The book may serve as a quarry from which some future historian may construct a coherent narrative. Or, which is more probable, it may serve as an invaluable guide to the authorities which may be either consulted or disregarded. But it cannot be expected to appeal to any general reader of history unless he has the most omnivorous appetite.

RICHARD LODGE.

Le Général de Stamford, d'après sa Correspondance Inédite, 1793-1806.

Par COMMANDANT M.-H. WEIL. (Paris : Payot, 1923.)

STUDENTS of the *Dropmore Papers*, especially vols. iv-vi, will remember the rather shadowy figure of General de Stamford (or Stamford), who undertook missions to the court of Berlin in and after 1798, and also acted as adviser to the duke of Brunswick and the prince of Orange. He often acted in concert with M. de Luc, reader to Queen Charlotte, whom George III appointed professor of natural history at Göttingen in order to screen his royalist activities at the German courts. The letters of Luc and Stamford in the source cited above threw much light on the career of the latter. Therefore M. Weil's sub-title, 'Un agent inconnu de la Coalition', is somewhat overstrained. He has, however, here published a large number of Stamford's letters from the *dossiers* at the Public Record Office, adding a Preface, Notes, and Appendixes, most of which will be of service to students of this period. The new pieces yield additional proofs of the great and sustained efforts of the British government to induce Prussia to take up arms again in 1797-9. Luc's letters had already illustrated this phase in Anglo-Prussian relations, and those of Stamford now fill in details, amplifying our knowledge as to the incurable inertia of Frederick William III, the bad faith of Haugwitz, the vacillating weakness of the duke of Brunswick, and the timidity of the Habsburgs.

Stamford's position as military instructor of Frederick William II in 1775-85, and, later, of the stadtholder, gave him influence both at Potsdam and at The Hague, and accounts for his writing in confidential terms to the former at the close of 1794, warning him of the fatal consequences of breaking the Triple Alliance of 1788. Luc in one of his letters stated that neither Stamford nor he was a negotiator; and the latter always urged military considerations, which were the last to be likely to influence Frederick William III, who blamed Austria, Naples, England, indeed all but France. That Stamford could argue forcibly appears in his strictures of January 1799 on French policy (pp. 219-21); that he could act firmly appears in his rebuke to the duke of Brunswick, and his efforts at St. Petersburg to infuse vigour into the proposed Anglo-Russian expedition to Holland. Prussia would have joined it but for the strange obsession of her king that he could induce the French peacefully to leave that land. Thus Prussia remained *une spectatrice embarrassante* of the Second Coalition. Equally bad fortune attended Stamford's efforts for the Third Coalition, and he died in 1807, worn out and despairing.

M. Weil, in his very numerous appendixes, gives portraits of several notables of that age; but it is hard to see why he includes comparative outsiders like Struensee and Sir Home Popham, and gives nine pages to Méhée de la Touche. On pp. 639-40 he seems to credit the story that Austria in 1793-4 negotiated secretly with Robespierre 'que peut-être l'Angleterre fit massacrer'. Why also, on p. 10, does he endorse the harsh and unfair judgement of Sorel on Wickham? In his comments and notes an anti-British bias is often noticeable, as in regard to the rupture of the Anglo-French negotiations of 1796, 1797, concerning the latter of which he does not mention the advent to power of the Fructidorian directors who were immediately responsible for the rupture. But, in spite of certain defects of detail, M. Weil has produced a volume replete with information concerning the diplomacy of the years 1794-1806.

J. HOLLAND ROSE.

Histoire Religieuse de la Révolution Française, tome v. Par PIERRE DE LA GORCE. (Paris: Plon, 1923.)

WITH this volume, M. de la Gorce finishes his *Histoire Religieuse de la Révolution Française*. This history will take its place among the great books about the French Revolution. Its permanent worth lies in its fullness of knowledge, its accuracy of detail, and above all in the splendid energy and imaginative power of its composition. The theme is open to nobility of treatment, and has the dramatic unity of all the 'grand scenes of history'. With the sureness of touch which betokens a master, M. de la Gorce is true to the best traditions of the literature of his country. He never forgets that he is a Breton and a catholic. So in his most sincere passages he is often as strange to an Englishman as Racine; or as strange as Freeman must be to a Frenchman.

It is difficult to single out for mention any one chapter of the book. The intrigues, delays, tricks, obstinacies, and compromises of the months immediately before the signing of the 'concordat' are well told. Always there is the mastery of a wide field of learning shown in the choice of the more dramatic and the less known facts, the visit of Bonaparte to a canon of his name in Florence, or the uncertainty of the Paris crowd in October 1799 whether they should cheer for 'Bonaparte' or for 'Buonaparte'. Bernier is perhaps the best-drawn character; Consalvi is too timid and too uncertain for the man who was not deceived by the *étalage* of high sentiment at the Congress of Vienna, though he was fourteen years older in 1815. M. de la Gorce is careful to bring out the wonderful civic prescience of Napoleon which atoned in some measure for the childishness of his views of the world. There is the usual love of ironical contrasts. The best of these comes after the visit of Murat to the Vatican in February 1801: 'Il est parti,' wrote Consalvi, 'enchanté du pape, et, si j'ose dire, de moi aussi.' 'Ma visite,' wrote Murat, 'a donné au Saint Père de la considération et de l'aplomb.' M. de la Gorce takes pleasure in the whimsical compromises of bureaucrats—'dans la Somme [when the laws against the ringing of church bells were still in force], on permet les sonneries au milieu du jour quand le brouillard ne permet pas aux travailleurs

des champs de se guider d'après le soleil'. Sometimes he is kindly critical of his authorities; he acknowledges the French translation of Consalvi's memoirs to be 'plus colorée que littérale', and disposes of the dramatic version of the attempted substitution of a new document at the moment of the signature of the 'concordat'. There is one curious little error, 'le grand orateur catholique—Burke'. M. de la Gorce's final judgement of the 'concordat' (as a 'mariage de raison') will probably be the final judgement of history; he points out that the 'concordat' increased the powers of the French bishops; he does not mention a more general consequence. Because Napoleon—and therefore the lesser men also who copied Napoleon—insisted on dealing directly with Rome, and on sharing with Rome or allowing to Rome alone, under his supervision, the government of the church, he did much to strengthen that very ultramontanism which he feared. But this event, and the pitiful story of bewildered loyalty and stubborn pride in the Petite Église, are beyond the limit M. de la Gorce has set for himself.

E. L. WOODWARD.

The History of the British Army. Vol. xi, 1815–38. By the Hon. J. W. FORTESCUE. (London: Macmillan, 1923.)

WE welcome very warmly this volume, which is the first of the post-Waterloo series, and feel that the president of the Royal Historical Society is now doing his own special work as he is lighting up an unknown dark period. We look back at seven volumes devoted to the twenty-two years up to Waterloo, and do not mean in the least to imply that he wasted his time on them; he gave us his own ideas and interpretation of quite familiar events, which we value, and he told us of campaigns taking place in other places than Flanders and the Peninsula, e. g. South Africa and South America, Mauritius and Java, and especially the deadly West Indies where the loss of 'man-power', sacrificed to satisfy the greedy 'profiteers' of the day, was quite appalling; no one but he has made a complete study of British efforts over all the globe at the same time, as well as of army administration and the influence of political partisanship. But he has now reached a period which has appealed neither to the historian nor to the general reader, and which we have been able to study only in biographies, e. g. of Harry Smith or Hastings. We read of post-Waterloo conditions, and wonder if politicians could or would have taken the lessons to heart had the volume appeared some little time before 1914. There are in it three main topics—army administration as influenced by the need for economy, home and foreign politics as bearing on army questions, and campaigns that have rarely been studied. Incidentally we find information of the activities of Wellington's men, Hill and Hardinge at home, the latter as secretary at war in Palmerston's place in 1827, D'Urban and Smith, Combermere (Stapleton Cotton) and Hastings (Rawdon, Moira) abroad, though the latter was rather the elder and contemporary than the 'man' of the duke.

The picture of army life is horrible. Reformers such as Hume cried out for economy and against the use of the lash, but not against the filthy state of the barracks or the iniquitous system of canteens which tempted

to drunkenness. Yet Wellington and Hardinge, soldier-politicians in their right place, did obtain for the men that they should be 'no longer huddled by fours into wooden cribs, but had each of them an iron bedstead to himself' (p. 107). Of infantry of the line in 1826 there were 83 regiments, of which 51 were in the empire, 23 in Ireland, 4 at home, and 5 on the way home (p. 89). Yet the duke of York that very year, just before his death, could proudly compare the 5,000 men, well equipped and ready to start for Lisbon within a week at Canning's call (p. 74), with the two miserable brigades that England supplied to him in 1793 (p. 92). An interesting fact of the 'demobilization' of the period is that large numbers of Wellington's veterans, who had been recruited for short service 'for the duration', emigrated to the new South American republics, whence 'in the 20th century their great-grandsons came over voluntarily in whole battalions from the land of their adoption to the land of their ancestors, to fight, as those ancestors had fought, against overweening tyranny' (p. 67).

As we expected, Mr. Fortescue says something strong about politicians, in praise of Castlereagh and even of the 'arch-mediocrity' Liverpool, and in contempt of the mere men of words, mostly Whigs, but including the Canningites. Yet he admits that Canning saved the situation at Lisbon as mentioned above, and that Palmerston handled skilfully both the Belgian and the Egyptian questions. The crucial fact is clearly put on pp. 464-7 and 489; Palmerston was trading on the great names of Wellington and Nelson, though he had no real armed force to support him, and Louis Philippe was trading on the great name of Napoleon; France not being ready for war in 1840, Palmerston triumphed; but a time would come, 1854-5, 1864, 1870, when each nation would learn that a bellicose manner without adequate force behind it would lead to humiliation. In the army itself, Mr. Fortescue has to acknowledge, certain real reforms were due to the Whigs; Lord Howick, afterwards the third Earl Grey, instituted good-conduct badges and pay, and a proper system of reliefs and of decent food for the troops in the West Indies (pp. 452-3); Palmerston by creating six service companies and four reserve companies in each line regiment went back to the duke of York's double-battalion system, which Mr. Cardwell later extended rather than created (p. 88).

Under the head of material we have the invention of the percussion cap, more important perhaps than that of breech-loading action later, and the restoration of the lance to four regiments of light cavalry (p. 511). But neither here nor in preceding volumes have we a connected account of the development and gradual introduction of the rifle; we hope that in the next, before coming to the Crimea, Mr. Fortescue will take a cast back and give us a full story.

The bulk of the volume is concerned with almost unknown campaigns, all the more interesting perhaps for that very reason; in Nepal, Central India, Burma, and against Bhurtpore; in West Africa, South Africa, and Canada. We are given a picture of the great skill, the mingled caution and venturesomeness, of Ochterlony, 'almost the only general of really conspicuous ability produced by the Indian army' (p. 354);

of the organizing power and strategical grasp of Hastings, one of our few soldier-viceroy, able therefore to take the offensive at the right time—and not weakly ready to insult his subordinates, as Amherst insulted Ochterlony when the attack on Bhurtpore was inevitable—and, though coming to India to maintain peace, willing to take the responsibility and crush the marauding Pindaris and Mahrattas, a man whose career makes us wonder that high command, for reason presumably that he was a Whig and friend of the prince of Wales, was never given to him in the lean years before Wellington was discovered; of the courage and endurance of regimental officers and British and native rank and file in spite of mountains and swamps, heat and rain, and all the ills of the tropics; of the influence of Exeter Hall and Lord Glenelg's unworthy treatment of D'Urban; of Canadian politics up to Lord Durham's arrival, of Wakefield and South Australia, and so on. One needs to read this to prevent oneself from forgetting that Indian history between Wellesley and the Afghan war is not a blank, or from thinking that overseas it is only India that counts.

On p. 51 there is a slip which makes one wish that at some time Mr. Fortescue would revise vol. i. He makes a somewhat common mistake in asserting that, owing to the Black Death, the Agincourt scale of pay was double that of the Crécy period. The pay had been doubled but had returned to normal. The archer who had 6*d.* a day was the horse-archer, and foot-archers had 3*d.*, in both periods; but in 1346 only about a quarter of the men were mounted, in 1415 practically all. This is a fact of some little importance when we calculate the recovery from the effects of the Black Death.

J. E. MORRIS.

Official History of the War; Naval Operations. Vols. ii, iii. By SIR JULIAN CORBETT. (London: Longmans, 1921-3.)

IN the preface to Sir Julian Corbett's history of the naval operations in the late war,¹ he explained that his work was to be based throughout upon our own official documents, not only naval, but also military and political; in that sense, and in that sense only, was the work to be regarded as official; for the form and character of the narrative, as well as for opinions expressed, the author alone was responsible. Notes to the same effect have been appended by the lords commissioners of the admiralty to the three volumes which Sir Julian Corbett completed before his death. Their lordships disclaim all responsibility for the author's reading or representation of the facts, as stated. In spite of these definite disclaimers, both by author and admiralty, we find the words 'Official History of the War' in gold letters on the backs of the covers. Apparently for this reason, and for fear that the navy (for whose training for war the board of admiralty is responsible) might believe, in spite of clear statements to the contrary, that Sir Julian Corbett's doctrine was approved officially, the lords commissioners have added the following note to the third volume:

Their Lordships find that some of the principles advocated in the book, especially

¹ See *ante*, xxxv. 460.

the tendency to minimize the importance of seeking battle and of forcing it to a conclusion, are directly in conflict with their views.

Seeking battle is part of the art of strategy. Forcing battles to a conclusion is a question of tactics, so two separate objections are raised to the author's teachings, one strategical, the other tactical.

In his first volume Sir Julian Corbett described as 'literary rather than historical' the idea, prevalent in 1914, that the primary function of our main fleet is 'to seek out and destroy the enemy's main fleet'. The inference is that, in the opinion of the board of admiralty, the author was averse to 'seeking battle' as the guiding principle of British sea strategy, and that he belonged to the manœuvre, rather than to the fighting school of strategists.¹ Sir Julian Corbett explained his meaning more clearly in his book *Some Principles of Maritime Strategy*. He there made it clear that his objection was not to decisive battles, but to the idea that they could best be brought about by seeking out, in the sense of searching for, the enemy's fleet. To him sea strategy was a more subtle art than that: 'what the maxim really means is that we should endeavour from the first to secure contact in the best position for bringing about a complete decision in our favour, and as soon as the other parts of our war plan, military or political, may permit.'² In his *Naval Operations*, especially in the second and third volumes, he shows how in the late war the admiralty, and the sea commanders under their control, adopted this procedure, with which all boards of admiralty would probably agree.

We must therefore pass from strategy to tactics, and seek in the author's account (vol. iii) of the battle of Jutland for the cause of the admiralty disclaimer, which gives no details about the definite statements to which exception is taken. Here we are on difficult ground. Some of the facts about the battle are still in dispute. Sir Julian Corbett was eminently qualified to deal, from the broadest point of view, with sea strategy and its relationship with the military, political, and economic factors which affect the issue of wars. For drawing tactical lessons and sifting evidence thereon, he was more dependent upon technical assistance for his facts and conclusions. We are left with the impression that it is essential for historians to be given access to Captain J. E. T. Harper's narrative, written by direction of a former board of admiralty, for purposes of comparison with Corbett's account. Meanwhile, since battles are judged by historians by their results and by the use made of them, the death of the author before completing that portion of his task has come as a tragedy to all who are interested in the true history of the late war. Had his work been completed, it may, perhaps, be justifiable to assume that to his account of Jutland he would have added a passage similar to that which follows his account of the Dogger Bank action of January 1915 (vol. ii, p. 102): 'However the Germans might seek to conceal the truth, they recognized it by retiring behind their minefields, while our uninjured ships kept the sea.'

¹ On this point, as affecting warfare in general, see Clausewitz, *On War*, book i, ch. ii ('The bloody solution of the crisis').

² p. 182.

In his second and third volumes, which cover the period from the battle of the Falklands in December 1914 to the battle of Jutland (31 May–1 June 1916), he has allowed himself a wide latitude to include political, military, and diplomatic matter. He devotes much space in both volumes to the Dardanelles campaign, and with the help of his narrative we are able to check other accounts of the inception and conduct of that ill-starred adventure. He indicates clearly that the original object, a demonstration to help the Russian army in the Caucasus, was completely lost sight of; but he does not refer to the point, emphasized by others, that the situation in the Caucasus had changed completely in favour of Russia by the time when the operations were launched. Sir Julian Corbett adds to the information already published, in the Dardanelles Commission Reports and elsewhere, about the decision of the War Council on 13 January 1915. The whole text of that decision should now be published, as it shows the relative importance attached at the time to operations against the German army and to operations against Germany's weaker allies as an alternative means of winning the war. This was the turning-point in our strategy. It led to the abandonment of the principle that, 'if one can conquer all one's enemies by conquering one of them, the defeat of that one must be the aim of the war'.¹ It is shown that the feature of the original scheme which secured the concurrence of the French government, and the 'half-hearted and hesitating support'² of British naval experts, was the facility with which it could be abandoned. The plan was based upon an erroneous assumption, in conflict with historical experience, about the effectiveness of naval gunfire against forts and against troops on shore. After direct proof, in the preliminary stage, of the falsity of this assumption, the plan was still adhered to.³ The narrative should be studied in conjunction with Sir Charles Callwell's books, which give the War Office point of view,⁴ and Sir Ian Hamilton's *Gallipoli Diary*. A separate 'official' history of this campaign is now being prepared, and Lord Wester Wemyss is understood to be writing an account which will give the point of view of the navy on the spot.

Sir Julian Corbett has written an account of naval operations, not a comprehensive naval history. The subject of the development of the merchant navy into a defensively fighting force has been reserved for Mr. Archibald Hurd, and that of sea-borne trade for Mr. Ernest Fayle. The three volumes which Sir Julian lived to complete show that the successes which the British navy achieved were due to adherence to principles based upon the lessons of history. His references to the war as a whole show that conflicts between allied interests, and between personalities, political and military, in different countries, prevented any such consistency in its general conduct. There was neither 'simplicity of design, unity of purpose, nor concentration of resources',⁵ and we are reminded forcibly of Napoleon's dictum about the simplicity of the strategy

¹ Clausewitz, *On War*, book viii, ch. iv.

² Report of Dardanelles Commissioners.

³ See Mr. Churchill's *Great World Crisis* for the reasons.

⁴ *The Dardanelles* (1919) and *Experiences of a Dug-out* (1920).

⁵ *Wars of Marlborough*, i. 77.

whereby he defeated so many good generals who saw too many things at a time, while he concentrated upon essentials, thus causing all accessories to fall by themselves.

G. G. ASTON.

A History of the Baptists. By W. T. WHITLEY. (London : Griffin, 1923.)

DR. WHITLEY, who has made the Baptist Historical Society under his management one of the most valuable sources of detailed information on the Stuart period, now appears as the historian of his denomination. On his special topic, the seventeenth century, he is admirable. His account of the persecution under Charles II, for example, is better than anything that has yet appeared in print. But though for the earlier time his spirited narrative may be read with profit, it has serious defects. He does not link the Baptists of the reign of James I, as he well might do, with earlier separatists even before the Reformation ; he understates their relationship with the continental Anabaptists ; he fails to explain the profound difference between the two types of Baptist as they developed in England. In fact, his interest in occurrences is such that he pays little attention to modes and changes of thought. Thus Dr. Whitley has been led to lay the struggles of the General Baptists to the credit of the body which he represents, though he clearly informs us more than once how little intercourse there was between the rival schools, and though he repudiates the General type after they had fallen from their original profession. He would have done well to keep the two rigidly apart, even at the cost of lessening the number of his heroes. In his zeal to emphasize the distinction between Baptists and Independents, the former of whom have to his indignation been sometimes described as a subdivision of the latter, he denies that Baptists were puritans. This is, at the best, no more than half the truth, though Baptists escaped whipping in Massachusetts as little as Quakers. There are some errors, and more incautious statements, in general history. Magdalen College was not turned by James II into a Jesuit seminary, and the American Revolution was not due to the personal tyranny of George III, nor was slavery abolished because a Baptist missionary named Knibb—no others are mentioned—‘roused the country’. There is a touch of rhetoric about Dr. Whitley, but that, and a certain number of mistakes and a certain lack of proportion, can easily be remedied. He holds the field, and in another edition his work can receive the final improvements of which it is well worthy.

E. W. WATSON.

Rome et le Palais Farnèse pendant les Trois Derniers Siècles. Par FERDINAND DE NAVENNE. 2 vols. (Paris : Champion, 1923.)

THESE volumes, with a slight change of title and a fresh publisher, continue and complete the author's *Rome, le Palais Farnèse et les Farnèse*, which we reviewed in 1915.¹ The greatest of the Renaissance palaces of Rome, begun by Paul III and finished by his descendants, was of little use to the dukes of Parma ; and was only inhabited by the cardinals who repre-

¹ *Ante*, xxx. 177.

sented the family in Rome. To the last of them, Cardinal Odoardo Farnese, who died in 1626, it owed the magnificent decoration of the 'Galleria' by Annibale Carracci. Later it received various tenants, a notable one being Queen Christina of Sweden in 1655. In 1662 it was leased to the French embassy, which remained there till 1689, after which it sank into neglect and decay. The works of art which it contained were carried off at various times to Parma; and finally, with the family succession, the best of them went to Naples. It was one of the revenges of time that when Francis II in 1862 had to take refuge in the deserted Roman palace, the great collections of which it had been stripped for the benefit of Naples passed to the kingdom of United Italy, whereas if they had remained at Rome they would still have formed part of the private inheritance of the Bourbons. In 1874 the palace once more received the French embassy (to the Quirinal), and in the next year the French School of Rome, as its tenants; and in 1911 the French Republic bought the freehold from the heirs of Francis II.

After the first generations of the descendants of Paul III, the history of the Farnese family has little interest, for it was a race of decadents. But with the extinction of the family M. de Navenne begins to gather his material from a wider field, the social and political history of Rome during the last three centuries. In this way he has compiled a book which is not only very readable, but is also full of information not easily found elsewhere. While most of it comes from printed sources, he contributes a certain amount of new facts. A special and attractive feature are the sketches of Roman life and society in the eighteenth century, in the (to most people) less familiar days of the Napoleonic dominion, and under the restored temporal power in the last century. The interests of the author, as is natural, are predominantly papal and French, but there are a few references to English persons and events. We suppose that 'la duchesse de Northumberland', who appeared at some festivities at the French embassy in June 1668 (i. 269), was the widow of Robert Dudley who left England in 1608 and was recognized as duke of Northumberland by the emperor. M. de Navenne is so diligent a chronicler of the French ambassadors and their entertainments that we wonder he has omitted to mention the sumptuous one given by that magnificent prelate of the *ancien régime*, Cardinal Melchior de Polignac, in 1729 to celebrate the birth of an heir to Louis XV. An account of it, and of the *mise-en-scène* designed by Pannini, appeared many years ago in *L'Art*.¹ Illustrations (and, we may add, an index) would have been an appropriate and useful adjunct to a book like this, but the times are not propitious for such luxuries.

G. McN. RUSHFORTH.

¹ *L'Art*, xxi. (Paris, 1880), 97 ff.: Henry de Chennevières, 'Jean-Paul Panini, peintre de fêtes publiques'.

Short Notices

Mr. Joseph Wells, in his *Studies in Herodotus* (Oxford : Blackwell, 1923), has produced a work which could not be adequately treated in anything less than a review of the same size. This is due to his fondness for argument on details, and his curious anxiety to criticize the effusions of modern critics, which are very rarely worth mentioning. The result is a series of essays which are admirably calculated to supply students with a course of mental gymnastics, but throw little fresh light on the march of Greek history. Thus, in his article on Miltiades, he makes no attempt to do what has never yet been done—to set forth clearly the history of Athenian politics during the period of that unscrupulous adventurer's activity—and that though he is quite aware of the gap : but instead of bread, he gives us merely a handful of pebbles, such as conjectures about the man's name, and about his leadership of the Parali, and about Herodotus vi. 41. In other places Mr. Wells disappoints us by shutting his eyes to considerations and circumstances which he should not have ignored : for instance, his lengthy argument against Grote's date for the Plataean alliance is no longer needed ; and the identification of Lacedaemonian and Peloponnesian policy is regarded as certain when it is nothing of the sort. Nevertheless, the book is a very good book of its kind, marked by an immense amount of learning, and such as we should expect from one who is an acknowledged master of modern writings on Herodotus.

W. A. G.

In an interesting collection of essays entitled *The Hellenistic Age* (Cambridge : University Press, 1923), four distinguished English scholars have treated, from different aspects, a period of Graeco-Roman history in regard to which our knowledge is rapidly increasing—and, with our knowledge, our realization of the importance of this epoch in the life of a particular society for the general understanding of the history of mankind. The Hellenistic period, as conceived by these writers, runs from Alexander's invasion of Asia in 334 B. C. to the conclusion of the Hannibalic war in 201. So long as we depended, for our knowledge of the Graeco-Roman world, almost entirely upon the fragments of its literary production which had been preserved by medieval copyists, the Hellenistic period was comparatively unknown to us. Under the succeeding Roman ascendancy, Greek literary taste turned strongly against the Hellenistic style, deliberately reverted to 'Attic' models, and carried its prejudice so far that it allowed the voluminous but then unfashionable literature of the intervening age to pass out of circulation. It was only towards the close of the nine-

teenth century that the discoveries of papyri in Egypt and of inscriptions in the principal centres of ancient Greek life began to enable western scholars to sketch in this hitherto obliterated portion of their picture. Since then, the work has been carried forward with infinite pains and ingenuity, and the four essays in this volume give an excellent review of its fruits. Dr. Bury starts with a general essay on 'The Hellenistic Age and the History of Civilization'; Mr. E. A. Barber revalues the relative importance of the various known branches of 'Alexandrian Literature'; Mr. Edwyn Bevan writes on 'Hellenistic Popular Philosophy'; and Mr. W. W. Tarn on 'The Social Question in the Third Century'. We have no space for detailed description or criticism; and, since the whole book is only 150 pages long, the reader needs no guide-posts. The general historian, as distinct from the classical scholar, will be interested in Mr. Bevan's criterion of the difference in moral and social atmosphere between the Hellenistic age on the one hand and both the pre-Alexandrine Greek and the modern western on the other (pp. 99 *seqq.*). The technician will be fascinated by Mr. Tarn's brilliant reconstructions from the scanty statistical material at his command, particularly by his demonstration (pp. 109-11) that, in spite of the vast increase in the total wealth of the Greek world in the period following Alexander's conquests, that period was characterized by a widespread fear of social revolution. A. J. T.

Sketches of European history usually suffer from an excessive bias of the writer for the history of his own country. Even M. Lavissee's otherwise admirable *Vue Générale* is not free from this defect. Professor Dietrich Schäfer's *Mittelalter, ein Geschichtlicher Überblick* (Munich: Oldenbourg, 1923) is almost exclusively concerned with the history of Germany and its emperors. All countries lying outside the boundaries of the Western Empire—the East, France, England, Spain—are allotted merely some 16 out of a volume of 160 pages. The title is therefore, to say the least, misleading. A partial, though not altogether satisfactory explanation may be found in the author's assertion in the preface that in the early middle ages Germany alone among countries was a state deserving the name. The book, too, has a political purpose: Dr. Schäfer considers that the collapse of the German empire in the thirteenth century was not inevitable, and that it is by a study of the causes of that collapse that the German empire of Bismarck can be saved. With these limitations, the book is excellent, as we should expect from an author of Dr. Schäfer's wide experience and profound knowledge of the middle ages.

A. L. P.

M. Halphen's edition of *Eginhard: Vie de Charlemagne* (Paris: Champion, 1923) is the first volume of a series 'Les Classiques de l'Histoire de France au Moyen Age', which should be of the greatest service to English students. Much has been done, through the Collection de Textes published by Messrs. Picard and the editions *ad usum scholarum* published by the directors of the *Monumenta Germaniae*, to make important medieval texts accessible to the general student; but even these series show a tendency to excessive elaboration from which, so far as we can see, the volumes

to be edited by M. Halphen and his helpers will be free. It is hoped to issue single texts and collections of documents, which, while as definitive as present-day scholarship can make them, will be unencumbered by lengthy introductions and long foot-notes. For the benefit of French readers—a benefit which English students will also often have reason to appreciate—a French translation will be given opposite the text; but the Latin text can also be obtained without this addition. M. Halphen has set a high standard before his colleagues in his edition of Eginhard. His text is based upon the best manuscripts, and his introduction, notes, and bibliography, though admirably terse, contain everything that is essential and are an authoritative guide to the previous editions and criticism of Eginhard. The editor has naturally been guided by the conclusions which he reached in his admirable *Études Critiques sur l'Histoire de Charlemagne* (Paris, 1921). In this work M. Halphen 'rejected the early date (821) ascribed to the catalogue of Reichenau containing a reference to Eginhard's book, and thus disposed of the main argument in favour of the view that Eginhard wrote his life of Charles soon after the emperor's death. At that time M. Halphen had not seen Paul Lehmann's edition of the catalogue, published in his *Mittelalterliche Bibliothekskataloge Deutschlands und der Schweiz* (1918). Lehmann holds to the date 821–2, but M. Halphen states that he is not convinced by his arguments (p. viii n.).

F. M. P.

In *The Chartulary of the Priory of St. Peter at Sele* (Cambridge: Heffer, 1923), Mr. Salzman has preferred to translate his text and to omit from his translation such words as he considers to be 'valueless words of common form'. Against anticipated criticism he defends himself by a truism, two paradoxes, and an *argumentum ad hominem*, which will be found in his preface on p. viii. No one will dispute Mr. Salzman's competence as an editor; but even the 'expert who can understand English as well as Latin' will occasionally desire that Mr. Salzman had provided him with the 'transliteration' of some of the charters rather than a translation, which Mr. Salzman, in a moment of perversity, says is quite as valuable. Certain early charters, which look as though even in Latin they would have been difficult documents, become even more obscure in translation; and one interesting document (no. 3, p. 3) is quite incapable of explanation on ordinary lines, unless it is to be classed as one of the *historia* charters recently discussed by Dr. Tait.¹ Another formal document (no. 69, p. 52) has been dealt with by the summary process of rendering the technical terms of ecclesiastical law into modern English, with some danger of puzzling the expert and misleading the inexperienced reader. But these are the perils that await all translators. No translator, however competent or courageous, will ever escape them; and the fact that Mr. Salzman has fallen into them may be a useful warning to less experienced editors. The introduction is not only useful and to the point, but is interesting and readable, and the topographical and genealogical treatment thoroughly good. It need hardly be added that where the charters can be translated, the translation is sufficiently good.

C. G. C.

¹ See pp. 114 f. above.

The *Introduction of the Observant Friars into England* is the subject of a paper read by Mr. A. G. Little to the British Academy (London: Milford, 1923). Beginning with the project of Henry VI (or rather of Margaret of Anjou) for the establishment of Observant houses in 1454, Mr. Little proceeds to the foundation by Edward IV of the house at Greenwich in 1482, and carries the history down to the formal constitution of the English province in 1499. The Observant houses were Greenwich (1482), Newcastle-on-Tyne, Canterbury, and Southampton (transferred from the Conventuals in 1498), Richmond in Surrey (about 1500), and Newark (1507). The notarial instrument recording the foundation of the Greenwich house is printed as an appendix from MS. 170 of Corpus Christi College, Cambridge. C. J.

Miss Gladys Scott Thomson's *Lords Lieutenants in the Sixteenth Century* (London: Longmans, 1923) provides us with a chapter in what Maitland called the decline and fall of the sheriff. It is a careful piece of research in administrative history, offering admirable illustrations of the character and success of Tudor government. The substance of the study belongs to the second half of the century when the real development of the lieutenant's office took place. His duties widened, and by the close of the period his office, from being a temporary one called into being in times of crisis, had all but become a permanent element in local government. However, there was by no means a lieutenant in every shire in 1603, and Miss Scott Thomson's story therefore stops short of its concluding chapter. We cannot say that we think her treatment of the origins of the lieutenancy either full or lucid enough. Just as her *obiter dicta* are occasionally old-fashioned, so here she seems to have paid too much respect to the authority of earlier writers, and not to have shaken herself completely free from the old legalistic school which sought for the definite creation of institutions. Her facts are related to no clearly expressed theory. The modern distinction between military and police duties was alien to the medieval inheritance of the Tudors, and surely there was less novelty in the combination of these duties in the lieutenancy than Miss Thomson seems to imply. Her chapter on the administrative duties of the lieutenant contains suggestive information about the county as a financial unit; another chapter, on the levies, will be of general interest. But in this latter she misses an historical question and goes astray a little by assuming the false popular etymology of the word 'impress', reminiscent of the press-gang and of earlier forcible methods of recruiting. J. E. N.

The second volume of the publications of the Dugdale Society, Mr. W. B. Buckley's *Abstract of the Bailiffs' Accounts of Monastic and other Estates in the County of Warwick*, consists of a translation of the rentals for the year Michaelmas 1546 to Michaelmas 1547 of various estates at that time in the ownership of the Crown. They are principally, but not exclusively, estates belonging before the dissolution to monastic houses. And they are situated principally, but not exclusively, in Warwickshire. As Rous's *History* shows, enclosure and depopulation was a burning question in Warwickshire by, at any rate, the sixties of the fifteenth century, and

the midlands, in particularly Warwickshire, Northamptonshire, and Leicestershire, which are all represented in these returns, were a storm centre when the second Depopulation Commission made its investigations in 1549. Naturally, therefore, a special interest attaches to records relating to that district. It must be confessed, however, that the documents printed in this volume throw comparatively little new light on agrarian conditions. The fact is rentals are apt to disappoint the social historian. He wants to know the number of tenants, the acreage they cultivated, the tenure by which they held, and the distribution of land between different uses, arable and pasture. Rentals sometimes enable these questions to be answered, but often they do not. In this case they normally do not. The court of augmentations, to which the returns were made, was interested exclusively in the financial aspects of the properties in question, and was too remote from them to be concerned with questions of management and agricultural policy, even though it was on these that financial results ultimately depended. On the other hand, though these documents do not present the systematic and rounded picture of agrarian conditions which is offered by, e.g., the best type of survey, they give incidentally much interesting information. They show the gross and net rental of a large number of estates, and offer valuable scraps of evidence as to the progress of large-scale farming, land-tenure, and enclosure. Further, when compared with pre-dissolution records, they should enable an opinion to be formed as to some of the changes which accompanied the transference of land to lay hands. Finally, they should be of great value for the study of local and family history.

R. H. T.

In *The Indictment of Mary Queen of Scots* (Cambridge: University Press, 1923) Major-General R. H. Mahon prints what on quite sound grounds he takes to be a version by Buchanan in Scots of his *De Maria Scotorum Regina*—or, to give it its later and better-known title, *The Detection*. The document is amongst the Lennox papers at Cambridge of which Andrew Lang made such conspicuous use. Lang, however, passed this document by with but a casual reference, not realizing either what it was or what new light it threw upon the proceedings against Mary at York and Westminster in 1568. In an introduction, admirable in being purely critical, General Mahon discusses these points, and has interesting suggestions to offer on the Lennox statements Lang used, and on the Hopetoun manuscript which Hosack printed as *The Book of Articles*. The latter, he thinks, was only a preliminary, discarded form of the *Articles*, compounded of the version of the indictment now published and of information contained in the second Lennox statement. General Mahon does not claim that his brief introduction materially advances the solution of the Casket Letters controversy; yet none the less it throws new light on the by-ways of the subject.

J. E. N.

Mr. J. A. Williamson has contrived in an admirable manner to weave an orderly and interesting narrative of *The English Colonies in Guiana and on the Amazon* (Oxford: University Press, 1923) out of the scattered notices of these undertakings to be found in the Public Record Office, in

contemporary pamphlets, in Purchas, and in various collections of manuscripts. Mr. Williamson doubtless has not the same knowledge of the doings of the Dutch in these parts that is possessed by Dr. George Edmundson, but he seems to have made himself familiar with every English authority on his subject. Moreover, he shows remarkable good sense and impartiality in his judgements on men and things. Witness his treatment of Raleigh's last voyage. Especially useful is the account of the rise and fall of Surinam as an English colony.

H. E. E.

The examination of the *Calendars of State Papers, Venetian*, 1632-6 and 1636-9, edited by Mr. A. B. Hinds (London : Stationery Office, 1921, 1923), must raise grave doubts of the expediency of continuing this series on the present scale. Usually the information about the activities of English diplomatists on the Continent here given could be obtained in a more authentic form from the State Papers, Foreign ; the numerous documents bearing on Anglo-Venetian relations mostly refer to trivial disputes about the privileges of our ambassador at Venice, and their contents do not justify their reproduction in full, a criticism which is applicable also to formal speeches by or to the ambassador. The notices of events in England or at sea in these two volumes are almost invariably inferior to those to be found in the *Calendars of State Papers, Domestic*. Obvious proofs of this are contained in the many notes the editor has added from this source to correct or supplement his text. Generally speaking the dispatches are less trustworthy as a guide to the internal history of England than a set of news-letters. Their main utility lies in the indications they afford of the trend of opinion at the court as well as in the country at large. There are many references to the jealousy felt at the progress of the French towards the Rhine, to the numerous conflicts at sea between English and Dutch or French ships, arising partly from privateering and partly from Charles's reassertion of the sovereignty of the narrow seas, and to the general irritation caused by the successive levies of ship-money and by the failure of the fleets thus equipped to safeguard commerce. Mention is often made too of Charles's determination never to summon another parliament, described in 1639 as ' the sole goal to which the efforts and murmurings of the people aspire '. Laud's ecclesiastical policy receives much attention. The view here put forward is that the archbishop was temporarily favouring the catholics in order to secure their aid against the puritans, and that he meant to enforce the penal laws when he had achieved his immediate purpose. The growing alienation of the nobility is attributed, among other causes, to the high favour he and other ecclesiastics enjoyed at court. An important letter of 15/25 November 1639 states that Wentworth had assured the king ' that the Irish will help his just cause with 20,000 foot ', which indirectly confirms Vane's report of the words used by the same statesman in the privy council on 5 May 1640.¹ There are also some interesting notices of the body apparently indifferently styled ' secret council ', ' most secret council ', and ' cabinet council '. Whatever view may be taken of the length at which unimportant documents are here calendared, few will deny that the indexes are much too

¹ *Hist. MSS. Comm. Report*, iii. 3.

long, 168 and 183 pages respectively. The entries under 'Charles' occupy twenty-five and twenty-three columns respectively, a result of including under the sovereign's name such items as 'Oñate asks audience of but relinquishes because of plague'. At this rate the indexes will render the *Calendars* themselves superfluous. Finally, it may be said that the high price of these volumes renders it imperative that their contents should be confined to what has historical value. G. D.

This second volume of *Paris sous Louis XIV*, by M. P. de Crousaz-Crétet (Paris: Plon, 1923), deals with the parochial life of Paris during the period, the charitable institutions, the administrative organizations, and the reactions of the capital to the political and foreign policy of the king. The treatment is somewhat slight, but a good deal of useful light is thrown upon the social life of the time. In 1686 the Abbé Faydet, preaching at Saint-Jacques-du-Haut-Pas, indignantly remarked:

On fait des églises un marché où l'on trafique, où l'on parle d'affaires, où l'on s'entretient de nouvelles, un rendez-vous où l'amant trouve à coup sûr sa maîtresse, un théâtre où l'on rit, où l'on chante des airs d'opéra.

This and other similar passages quoted by M. Crousaz-Crétet all go to confirm our impressions of the scandalous behaviour of the fashionable world at the beginning of Louis XIV's reign. The treatment of the state of feeling in Paris during the severe period of distress which followed the Peace of Nymegen given in the third section is somewhat disappointing. We should like to have heard more of the effects of the depreciation of the currency by the government, and of the revolutionary feeling which found expression in pamphlets and placards. The volume contains some useful bibliographical notes. C. E. M.

Students of the religious history of Louis XIV's reign will always find something to interest them in the unhappy career of Madame de la Sablière. The Vicomte Menjot d'Elbenne, in his *Madame de la Sablière* (Paris: Plon, 1923), gives us a detailed biography, to which he appends her 'Pensées Chrétiennes' and her letters to the Abbé de Rancé. The book has some interesting illustrations and is thoroughly provided with references. C. E. M.

In a new edition of *The Journal and Essays of John Woolman* (London: Macmillan, 1922) by Miss Amelia Mott Gummere, Woolman's Journal is printed *literatim et verbatim* from the manuscript, now in the possession of the Historical Society of Pennsylvania, of the first printed edition (1774), with variant readings from two earlier manuscripts, belonging to the library of Swarthmore College. Seven of Woolman's tracts are included in the volume, and follow the original manuscript where available. The editor contributes a sympathetic biographical introduction, a bibliography, naming almost fifty editions of the Journal, and many data on persons mentioned therein. The book is lavishly illustrated with photographs of manuscripts, drawings, and places connected with Woolman's life, but the editor or printer has adopted an unfortunate practice in placing superior letters, of abbreviations, on a line by themselves. S. E. M.

Dr. M. Vishnitzer has translated into English from a Hebrew manuscript in the Library of the Jews' College, London, the *Memoirs of Ber of Bolechow* (London: Milford, 1922). Ber of Bolechow was a Polish Jew who lived in Galicia from 1723 to 1805. His memoirs, or rather the fragments of his memoirs, for they are incomplete and neither coherent nor always consecutive, will be more interesting to Jewish than to English readers. They throw a good deal of light on the conditions of social life among the Jews of Poland, and especially upon their trading activities and the difficulties they encountered, especially in dealing with varied and constantly debased currencies. Ber himself, after a brief experiment as a money-lender and a shopkeeper, adopted his father's trade as a wine-merchant, and became an expert and prosperous importer of Tokay from Hungary into the cellars of Polish nobles and ecclesiastics. But, in spite of the intercourse with other peoples necessitated by such an occupation, the dominant impression left by the book is of the extraordinary isolation of the Jews in Poland. The majority of them refused to learn either Polish or German, and were inclined to regard the pursuit of secular learning as a symptom of religious apostasy. They were held together, in spite of sharp practices against each other, by common interests and common grievances. They had to pay to the state a poll-tax, heavy excise duties, a *gabelle*, and a tolerance tax. To the local landholder, especially if he was unscrupulous, they had to pay still more. They were liable to be plundered by robbers, from whom the lord should have protected them, and, if they lived in a university town, such as Lemberg, they were exposed to constant outrages at the hands of the students. And yet many of them, like Ber himself, prospered. But it is not surprising that they hastened to invest their wealth in jewellery for their women and in plate and furniture for their households, in spite of the risks from the frequent fires which desolated Polish towns. It was necessary to have property in as convenient and portable a form as possible, and to be able to conceal it from prying eyes. The value of the Jews as objects of spoliation enabled them to have a corporate organization which they could hardly have possessed on other grounds. As it was impossible to deal with individuals, and as the Jews objected on principle to anything of the nature of a census, a representative body to adjust financial terms with the authorities was formed in each town, each district, and even in the kingdom. So influential did these bodies become that they were accused of bribing nobles to obstruct legislation in the diets by the use of the *liberum veto*. Nothing illustrates more convincingly the isolation of the Jews and their severance from anything like national life than the fact that Ber, an educated and travelled Jew, who lived through the most critical period in the life of Poland, makes hardly any reference to political events. He mentions the march of Russian troops through Galicia to depose Stanislas Leczynski, which occurred when he was ten years old; he confirms our knowledge, derived from other sources, that France sent financial aid to the confederates of Bar in 1768; and he regards the Partition of 1772 as a judgement on the Poles for their ill-treatment of the Jews. One would have liked to know whether Galicia was better off under Austrian rule, but on this he is provokingly silent. R. L.

The second volume of the *Diary of the First Earl of Egmont, 1734-8* (London : Stationery Office, 1923), which is now issued by the Historical Manuscripts Commission, continues and completes the story of the defeat of its author's attempt first to name two members for the borough of Harwich and finally to name only one. There is a lively account of a typical eighteenth-century election in a constituency composed of some thirty voters, with valuable sidelights on such matters as the exact meaning of a 'government borough', the care with which ministers avoided giving written evidence of the influence which they exerted through the employees of their departments, and Sir Robert Walpole's tendency to prefer serviceable political instruments to promising young men. 'Harwichiae omnia venalia' was Lord Egmont's final and disgusted verdict, and 'Liberty ! we are free from the tyranny we were under for fourteen years' that of some, at all events, of his late constituents on the definite termination of a presumably too economical régime. Henceforth the diary principally concerns itself with Lord Egmont's philanthropic activities as a prominent member of the trustees and common council of the corporation constituted by royal charter to administer the new colony of Georgia, and is of considerable interest from the point of view of the early history of that state. Apart from this, there is a certain amount of gossip and anecdotes about the interior of the royal family, the most amusing of the latter being unfortunately unsuitable for quotation, but on the whole, owing to Lord Egmont's withdrawal from public life, this volume is of less general interest than its predecessor. It is to be hoped that the publication of the third and last instalment of this valuable diary will not be unduly delayed.

R. R. S.

To those interested in the commercial relations between Great Britain and the United States Dr. F. Lee Bennis's careful monograph on *The American Struggle for the British West India Carrying-trade* (Indiana University Studies, vol. x, s.l., 1923) should be indispensable. After an introductory chapter which sketches briefly the course of proceedings between 1783 and the war of 1812, the successive steps are dealt with in detail, the final outcome of which was the reciprocity of 1830. Perusal of the volume strengthens the impression left on one's mind by the letters of John Quincy Adams that diplomacy was not his forte ; and gives further proof that Canning was less friendly in his attitude towards the United States than had been Lord Castlereagh.

H. E. E.

Professor R. Coupland's well-written, interesting, and complete life of *Wilberforce* (Oxford : Clarendon Press, 1923) will not only rank as a standard biography, but as the best account of the English movement for the abolition of slavery. It is a coincidence that it should follow so closely the publication of Mr. and Mrs. Hammond's *Shaftesbury*, for these two men were the greatest and noblest of all the evangelicals, and Wilberforce in his austerity, Sabbatarianism, and credulity, as well as in his humanitarian crusade, anticipated his successor's career. He seems, however, to have lived a warmer-hearted and far less isolated life. His friendship with Pitt survived his own religious conversion and Pitt's

absorption in the French war, and, in spite of some grave political mis-judgements, it is easy to see that his devotion to the cause of emancipation formed part of a wise and well-ordered philosophy of public conduct which was uncommon in his day, and not easily understood by the Tories with whom his lot was mainly cast. It still glorifies Toryism. Mr. Coupland writes with rare tolerance and impartiality, recognizing that the unreformed parliament is alien and abhorrent to a democratic age, and is not always accorded justice. His story of its debates and divisions during many gloomy years is wonderfully vivid. G. B. H.

Mr. Everett Somerville Brown has edited *William Plumer's Memorandum of Proceedings in the United States Senate, 1803-1807* (New York : Macmillan, 1923). This Memorandum, 'an almost daily record of sessions in the Senate' during these years, certainly deserved to be published, as it is a valuable source of information for the politics and activities of the senate in this period, and contains many interesting descriptions of leading men in the first generation of American statesmen. Its author played a considerable part in the public life of his own state, New Hampshire ; was a member of the state constitutional convention and twice state governor. He was also the presidential elector who in 1820 cast the single vote against Monroe, with the object, the editor tells us, of drawing attention to his friend, John Quincy Adams, and not, as has generally been supposed, of preserving to Washington the fame of the only unanimous electoral vote. He begins with some severe criticism of Jefferson's action in the purchase of Louisiana and of the whole policy of that great transaction, and as for the senate, 'they have taken less time to deliberate on this important treaty, than they allowed themselves on the most trivial Indian contract'. The editor provides a good index of persons and places mentioned, but an analysis of the subject-matter of the memorandum or even some indication of it in the page-headings would have rendered the edition more serviceable. E. A. B.

The first volume of a series of 'Early Western Journals' contains *The Journal of John Work, a Chief Trader of the Hudson's Bay Co. during his Expedition from Vancouver to the Flatheads and Blackfeet of the Pacific North West, 1831-1832*, edited by W. S. Lewis and P. C. Phillips (Cleveland, U.S.A. : Clark, 1923). Mr. Phillips also contributes an introductory chapter on 'The Fur Trade in the North West', and there is, further, a short biographical sketch of John Work. H. E. E.

Professor A. J. Barnouw's *Holland under Queen Wilhelmina* (New York : Scribner, 1923), which was published on the occasion of the twenty-fifth anniversary of Queen Wilhelmina's reign, is a very good book of its kind. In an attractive style (in places made somewhat discursive perhaps by his desire to be popular) Dr. Barnouw gives a sensible and intelligible account of Dutch history since 1898, about which the curious student would find hardly anything else in English. Political, or rather parliamentary, history forms, as is usual in contemporary histories, the main theme of the book, but Dr. Barnouw has succeeded in suggesting a back-

ground of social and intellectual life against which to set off political events, and for that reason his book makes better reading than do most of its class. The point of view from which party history is given is distinctly liberal ; the point of view from which Dutch history during the war is seen, as distinctly pro-Entente. There is a good, if short, chapter on ' Literature, Art, and Science '.

P. G.

Dr. Felix Salomon has evidently devoted much time and reflection to the subject of his *Englische Geschichte von den Anfängen bis zur Gegenwart* (Leipzig : Kochler, 1923), but he has more to say than can be conveniently said in a manual of this size, and he appears to have resigned himself reluctantly to the limitations of the form which he has chosen for the expression of his thought. *Multum non multa* should obviously have been his principle. It is true that he begins by explaining his intention to concentrate upon the history of the political life and activities of Great Britain, and that on the whole he has observed this principle of selection. But he would have been wise to simplify still further the texture of his narrative by the rigorous elimination of all details which are not indispensable for the exposition of his theme. To an English reader the perspective of the narrative seems questionable. Nearly one-half of this book is devoted to the events of the period 1815-1914. That is not the way in which an English writer would allot his space. Englishmen perhaps exaggerate the glories and the achievements of earlier centuries. But is there nothing to be said for the English view that the heroic age of the race lies in the past ? Even now we have hardly ceased to think of Palmerston and Disraeli as morally and intellectually inferior to the two Pitts. We study our political philosophy in the works of Hobbes and Locke. Naturally we can understand that to a German reader the history of Great Britain in the nineteenth century has a more obvious significance than that of the England of Elizabeth or of Cromwell. But we must feel that Dr. Salomon has paid more regard to the interests of his German audience than to the true proportions of his subjects. It is inevitable that inaccuracies should creep into a manual. But Dr. Salomon has more inaccuracies than we usually find in the work of a systematic student. Lord Liverpool died not in 1825, but in 1828 (p. 202). The statement that Lord Byron fell in the defence of Athens in 1826 is really surprising (p. 204). So is the remark that Cobden and Bright made their political début in the first reformed house of commons (p. 211). It was not Canning who described the battle of Navarino as an untoward incident (p. 205) ; Canning was dead before the battle was fought. We are mystified by the attribution to Huskisson of a Reciprocity Treaty in 1825 giving a preference to colonial products (p. 206). The withdrawal of the First Reform Bill in 1831 was not due to its rejection by the house of lords, but to the defeat of the government in the house of commons (p. 208). There is a passage which suggests that hostility to the Tractarian movement alienated Mr. Gladstone from the church of England, a really amazing misrepresentation (p. 215). While these mistakes suggest careless reading or careless writing, there are other passages which point to insufficient acquaintance with the ordinary literature. It is, for instance, erroneous

to say that England's negotiations with France for common action in the Schleswig-Holstein affair were first exposed in the French official publication *Les Origines de la Guerre de 1870* (p. 248). Their history was given accurately in the second volume of Ashley's *Palmerston* more than thirty years before the French publication appeared. H. W. C. D.

For a concise account of the topic which forms the title of his book, we can recommend Mr. Ronald Ralph Formoy's *Historical Foundations of Modern Company Law* (London: Sweet and Maxwell, 1923). Part I covers the period 1600–1720, and modestly disclaims any attempt at being exhaustive or recondite. Part II takes us from the Bubble Act, 1720, to the general position of joint-stock companies just before the act of 1844. Part III completes the survey by a sketch of the law from 1844 to the Companies (Consolidation) Act, 1908. Mr. Formoy handles his matter well, and gives a good tabular comparison of the acts of 1844 and 1908. Here and there he might perhaps have abridged the extracts which he has quoted from judicial decisions, without sacrifice to his exposition. The history of company law is a clear mirror of one side of the economic development of England. Throughout the whole of it, the state has been faced by the difficulty of hitting the mean between preventing or punishing swindling of a careless or credulous public and giving a free hand to legitimate co-operative trading. Sometimes its efforts have been anything but successful. It is curious to notice that in 1858 a reliable legal journal referred to the very act which lent legislative sanction to the principle of limited liability as 'the Rogues' Charter', and expressed an emphatic opinion that the principle, after a fair trial of two years, had proved to be an egregious failure. Later enactments have been more efficacious, and although English company law is by no means perfect, it answers tolerably well to the needs of the community. Critics of it are apt to forget that the law can limit the liability of shareholders, but not the folly of the fool. So long as Frederick Pigeon is ready to be plucked, Captain Rook is not far to seek. Mr. Formoy has cited Montague Tigg as a good type of the financial shark. We might add that something very much like the original of Thackeray's pious rascal, Brough, appears in a manager of the Royal British Bank, who 'was a devout man, and made all the clerks go to prayers in the office daily before the doors were opened'. We have detected no references which require correction except '11 Co. Rep. 846', which should be '84 b' (p. 11), and 'Seldon Society' (p. 5). P. H. W.

A comparative study of the law of mortmain in the different countries of Europe would be a valuable contribution to legal history. Dr. Koerperich's *Les lois sur la Mainmorte dans les Pays-Bas Catholiques* (Louvain: Smeerters, 1922) is a minute investigation of that law in one small but important country. The investigation is complicated by the fact that, until modern times, the laws of mortmain in the Low Countries were provincial, not general or uniform. Some general conclusions, however, have been reached by Dr. Koerperich. At first only alienation of land to the church was in question, and it was restricted simply to save the rights of the feudal superior. But the communes, so powerful in the Low

Countries, also resented the acquisition of land by the clergy, who were exempt from communal taxes. Therefore the sovereign, when he needed a grant from the communes, sometimes gratified them by imposing new restraints upon land passing into mortmain. Lastly, the sovereign guarded his own revenue. Philip the Good, duke of Burgundy, enacted that all grants of land to churches should be redeemable, and the Emperor Charles V forbade the clergy to acquire real property. Such laws, however, were not strictly enforced by the devout and indolent Spanish authorities. The possessions of the clergy, already extensive, continued to grow until the Low Countries passed under Austrian rule. In the seventeenth century the immunity of the clergy from taxation had in great measure disappeared, and with it one principal reason for the interference of the sovereign. But in the eighteenth century other considerations came into play. There was a tendency to magnify the prerogative of the sovereign and to curtail the power of the clergy. It was held that a new association of any kind could not be founded without the previous sanction of the state. It was held that land passing into mortmain became less useful to society. It was also held that religious houses were too numerous and too rich and that their growth should be discouraged. Hence the first general law of mortmain for the Austrian Netherlands, the Edict of 15 September 1753, which forbade the acquisition of land in mortmain, whether by lay or by ecclesiastical foundations, without previous licence, and annexed the penalty of confiscation. Certain restrictions upon gifts of movables to such parties were imposed at the same time.

F. C. M.

The superintendent of government printing at Calcutta has issued a report of the proceedings of the fifth meeting of the Indian Historical Records Commission, held in that city in January 1923. Mr. Evan Cotton, C.I.E., presided, and the proceedings were opened by a speech from Lord Lytton. Papers were communicated by Professor Jadunath Sarkar on 'The English Factory at Surat, 1694-1700'; by Mr. J. J. Cotton on 'The Will of George Francis Grand'; by Mr. P. C. Nahar on 'The Genealogy of the Jagat Seths of Murshidabad'; by Professor Shafaat Ahmad Khan on 'Research Work in Modern Indian History'; by Mr. R. B. Ramsbotham on 'Some Aspects of the Revenue Collection in Bengal immediately after the Assumption of the Diwani'; by Mr. Beni Prasad on 'Aspects of Education and Literature under the Great Mughals'; by Mr. R. P. Tripathi on 'The Army Organization of Akbar'; by Mr. J. N. Samadhar on 'The Capture of Rohtas in 1764'; by Mr. B. Ahmad on 'Old Judicial Records of the Calcutta High Court'; by Mr. H. W. B. Moreno on 'Some Anglo-Indian Terms and Origins'; by Mr. S. A. Latif on 'The Will of Shaista Khan'; by Mr. D. P. Parasnis on 'Correspondence between the English and the Marathas'; by Professor K. R. Qanungo on 'Najaf Khan's First Campaign against the Jats'; by Father Hosten on 'Dutch Records relating to Bengal, 1762-63'; and by Mr. A. F. M. Abdul Ali on 'The Early History of Manipur'. These papers are printed in the record of the proceedings, which gives also an account of the discussions and a catalogue of an exhibition of manuscripts, paintings, &c.,

which was arranged in connexion with the meeting. The steps taken in consequence of the resolutions passed at previous meetings were reviewed ; and recommendations were made regarding the better preservation of the high-court records at Calcutta, Madras, and Bombay, and the transfer of old Dutch records from Chinsura and of old Danish records from Serampur.

W. F.

Mr. William Swan Sonnenschein's bibliographical compilation *The Best Books* is well known. A third edition of the third part, which deals with history and subjects related to it, has now been issued (London : Routledge, 1923). The inclusion of great numbers of school-books and works with no pretensions to be scientific makes one doubt whether it will be of much service to students, but the number of titles is very great and the form of the volume is handy.

E.

The appearance of two valuable bibliographical reviews should be placed on record : the *Bibliographie Lorraine, 1920, 1921* (Nancy : Berger-Levrault, 1923), and the *Bibliographie Alsacienne, 1918-21* (Strasbourg : Istra, 1922). The latter is a new publication and avowedly modelled on the work published by the university of Nancy, and the two bibliographies give references and brief appreciations of every book, monograph, or article relating to Alsace or Lorraine. Particularly valuable is the record of archaeological criticism and discovery. There are also longer reviews of important books, among which M. Parisot's review of M. Grosdidier's book on *Le Comté de Bar* (*Bibliographie Lorraine*, p. 76) may be specially mentioned. The books of M. Tourneur-Aumont on the historical geography of Alemannia and Alsace, which attracted attention, are severely criticized by M. C. Pfister (*Bibliographie Alsacienne*, p. 113) and by M. Grenier (*ibid.*, p. 95). Strasbourg protestantism had a considerable influence on the English reformation, and three notable monographs dealing with it are summarized (*Bibliographie Alsacienne*, pp. 140, 141) ; there is also a very full *compte rendu* by M. Pfister of a new history of the evangelical church of Strasbourg by D. Johann Adam.

W. D. G.

Dr. Paul Reiche's *Deutsche Bücher über Polen* (Breslau : Priebsch, 1917) is a bibliographical essay intended as a continuation of Robert Arnold's *Geschichte der Deutschen Polenliteratur*, the first, and only, volume of which goes down to 1800. In consequence, Dr. Reiche does not deal with material published before that date. His book is conveniently arranged under subject-headings, and there is an index of authors. German translations of works in Polish and other languages are included. The latest date of publication quoted is 1916, but Dr. Reiche expressly states that it has only been possible for him to deal summarily with his last section, 'Poland and the World War' : for instance E. Kramer's *Atlas von Polen*, published in 1916 in Polish, French, and German, is not included. Naturally, the greater part of the book is concerned with the Polish provinces of pre-war Germany, but there are also useful sections, e. g. on Cracow and Galicia, on the Polish Revolution of 1830, and on the Reformation in Poland.

B. H. S.

Under the title *The William L. Clements Library of Americana at the University of Michigan* (Ann Arbor: University of Michigan, 1923) Mr. Clements has written a short account of the main events in American history as described by standard works in the library. 'The book', we are told, 'may not interest bibliographers; neither will the advanced student of history find in these pages new information.' Even, however, under the limitations prescribed by the author, the usefulness of the volume would have been much increased, had it contained an index giving alphabetically the names of the books mentioned in the text. Apart from this, one should note the extreme value of this library, enriched as it has been by acquisitions from the Hoe, Huth, Devonshire, Bridgewater, and other collections; as well as by the purchase of the celebrated library of the late Henry Vignaud. The Shelburne papers were bought for the library in 1921; and one of the first tasks for the custodian will be to prepare a more satisfactory calendar than the wholly inadequate one made for the English Historical Manuscripts Commission. H. E. E.

The publication of six leaves of an uncial manuscript preserved in the Pierpont Morgan Library at New York, namely *A Sixth-century Fragment of the Letters of Pliny the Younger*, by Dr. E. A. Lowe and Professor E. K. Rand (Carnegie Institute of Washington, 1922), is of primary interest to palaeographers and classical scholars; to the former because it adds to our stock of examples of early uncial; to the latter because Dr. Rand establishes his claim that these leaves are a fragment of the lost Parisinus which formed the basis of the Aldine text. Nevertheless, palaeography is ancillary to historical research, and for that reason we recommend to notice Dr. Lowe's lists of those uncial manuscripts which can be approximately dated, and of those which can be assigned, on palaeographical grounds, to the fourth and fifth centuries.

H. H. E. C.

An English periodical devoted to palaeography is assured of a welcome from scholars. The publication of *Palaeographia Latina* (St. Andrews University Publications XIV and XVI; Oxford: University Press, 1922-3), of which two parts have now appeared, is due wholly to the enterprise of Professor W. M. Lindsay, who is at once its editor and its principal contributor. A paper by the editor on the forms of letters in early Latin minuscule occupies almost the whole of Part I. Part II is more varied, and contains a good bibliography, by Dr. W. Weinberger, of books published in 1911-22 dealing with Latin palaeography up to A. D. 1050. We note the downward limit of date with some regret. There is ample room for a journal that shall embrace every branch of palaeography, Greek and vernacular as well as Latin, and that shall interpret palaeography in its widest sense; that shall treat alike of the production and of the history of manuscripts, and that shall comprise both illumination and diplomatic. Pre-Carolingian Latin minuscule is a narrow field, and those who till it are few. We wish for the success of the present venture, and also for its ultimate expansion. H. H. E. C.

THE ENGLISH HISTORICAL REVIEW

NO. CLV.—JULY 1924 *

The Originals of the Great Charter of 1215

FOUR contemporary manuscripts of King John's charter of 15 June 1215, with indications of seals, are known to exist; two in the Cottonian collection at the British Museum, distinguished by the record commissioners as Cⁱ and Cⁱⁱ, and one each in the cathedral archives of Salisbury and Lincoln, which we may call S and L respectively.

Cⁱ (BRIT. MUS., COTTON. CH. xiii. 31 a)

This manuscript, much injured by fire, perhaps by water, certainly by time, is now for the most part illegible. It is framed and kept in a glass case from which the light is excluded. The manuscript is written on vellum, the remains of which are gummed to another skin for preservation. The original vellum is 20½ inches long by 14½ inches wide, and the manuscript consists of eighty-six lines, written parallel with the width of the skin. The shapeless remains of a seal are attached by a narrow strip of vellum. From the handwriting and from the fact that John's Great Seal was attached to it, we know that this manuscript is an original. Of its early history, to be referred to presently, there is no direct evidence, but something of this may be gathered from the document itself and the circumstances under which it came into existence. Of its later history one account says that the manuscript was discovered by Sir Robert Cotton at his tailor's, about to be cut up for business purposes. This is the story attributed to Paul Colomiès,¹ but it is not quite accurate on the face of it, for the charter is said to have had all its appendages of seals and signatures, whereas it has in fact but one seal and no signatures. Colomiès may have reported correctly

¹ Disraeli, *Curiosities of Literature*, ed. 1881, i. 22.

what he heard, but, if so, he was misinformed, for Sir Robert's possession of the manuscript is otherwise accounted for.

On 10 May 1630 Sir Edward Dering wrote from Dover Castle, of which he was lieutenant, to Sir Robert Cotton, promising to send him the Magna Carta of 1215. 'I have here', he says, 'the charter of King John dat^d. att Running Meade: by the first safe and sure messenger it is yours.'¹ We know that Sir Robert Cotton possessed two specimens and no more of John's charter, namely Cⁱ and Cⁱⁱ. It will be shown that he obtained Cⁱⁱ from another source, and that therefore Cⁱ was the charter referred to in Sir Edward Dering's letter. It may also be noted that in the letter the field is called 'Running Meade'. This corresponds more nearly to 'Runningmed', as it is written in Cⁱ, than to 'Ronimed', the spelling adopted in Cⁱⁱ. Sir Roger Twysden, in a manuscript note, refers to the charter given by Dering to Cotton as having a seal: 'Magna Charta, one copy of which I myself have seene, under hys seale, in ye hands of S^r Edward Deering who gave it S^r Rob. Cotton.'²

The writer in *Archaeologia Cantiana*, just cited, accounts for the presence of the charter at Dover by the fact that Hubert de Burgh was the king's principal commissioner in settling the dispute at Runnymede—that the charter was sealed, as he says, on 15 June, 17 John—that fifteen days after, John appointed de Burgh constable of Dover Castle—that on the day of the execution of the charter John had created de Burgh chief justiciar—that de Burgh probably carried the charter with him to Dover Castle and deposited it among the archives for security.³ Without denying that Hubert may have been instrumental in placing the charter at Dover Castle, it should be pointed out that in the ordinary course the justiciar would have no control over the charter. We know that the charter of 1215 was never enrolled; ⁴ charters were made to be sent out, and it is natural to suppose that this is the copy directed to the Cinque Ports.

Manuscript Cⁱ was injured in the fire at Ashburnham House, 23 October 1731, but, notwithstanding, remained legible throughout except for a few letters. A committee had been appointed by the house of commons previously to the fire to view the Cottonian library and the public records of the kingdom, and in a report dated 9 May 1732 ⁵ the circumstances of the fire are related. It appears that the Speaker, Arthur Onslow, one of the Cottonian trustees, immediately after the fire appointed a committee of experts to advise what should be done to preserve

¹ Cotton MS. Julius C. iii, fo. 143.

² *Archaeologia Cantiana*, ii. 222.

³ *Ibid.* i. 52.

⁴ Introduction to the *Rotuli Chartarum*, by Sir Thomas Duffus Hardy (Rec. Com.), 1837, p. ii, n. 5.

⁵ Brit. Mus. Add. MS. 24932.

the remains of the manuscripts. This committee, proceeding with the dispatch which the occasion demanded, made its report five days after the fire. It says that

there are two originals of the Magna Charta granted by King John, in the Cottonian library, from one of which the seal has long since been lost or plucked off, and that which has the seal still remaining affixed was greatly shrivelled up, the letters being contracted, part of the wax of the seal melted, and one or two words quite destroyed, and was so much damaged by the fire that there is reason to fear some parts of it will not much longer continue legible.

Thereupon, pursuant to the Speaker's direction, a transcript of the charter was made,¹ the words or parts of words eaten out by the fire, consisting of twenty-seven letters in all, being supplied in red letters from the other original (Cⁱⁱ). The transcript was to remain in the library 'ad perpetuam rei memoriam'. The transcript is endorsed as follows :

Duo sunt, eodem Exemplo, Autographa Chartae Regis Iohannis (quam vocant Magnam) de Libertatibus Angliae, in Bibliotheca Cottoniana asservata. Ab altero adhuc pendet sigillum ; ab altero pridem ablatum est. Horum primum partim corrugavit, partim Sigilli Notas aliquot, liquefacta Cera, obscuravit. Incendium, quod 23^o die Octobris 1731 Bibliothecae partem unam hausit. Dum igitur Literarum certa manebant, vestigia, hoc Apographum ab illo descriptum est, verbo tantum uno aut altero q^d corruerat Flamma, ex altero Autographorum suppleto, et literis rubris exarato manu mea, Davidis Casley, Bibliothecarii Deputati.

Nos hoc Apographum, partim atramento, partim Literis rubris, ex Autographis supradictis exscriptum, cum utroque eorum collatum fuisse testamur, et cum iis in omnibus cum Archetypo quodque suo, ad apices usque Literarum consentire Subscriptis nominibus confirmamus. Decimo octavo die Decembris, 1731. Richardus Bentley, Bibliothecarius Regius ; Iohannes Lawton, Custos Recordorum in Curia Receptus Scaccarii et Deputatus Camerarius ; Geo. Holmes, Deputatus Custodis Recordorum in Turri Londinense ; Ja. Stewart, Clericus dicti Iohannis Lawton ; Guil. Smart, Clericus dicti Iohannis Lawton ; Guil. Whiston, Unus ex clericis supradicti Iohannis Lawton.

Ego hoc apographum partim Atramento partim Literis rubris, ex Autographis ex-scriptum, cum utroque eorum per me collatum fuisse. Testor Decimo nono die Aprilis, 1733. Ar. Onslow, Comitiorum Rogator.

A facsimile of manuscript Cⁱ was engraved by John Pine in 1733. At the foot of the engraving David Casley, deputy keeper of the Cottonian library, purports to give the following testimony :

There are two Originals of King John's Magna Charta of the Liberties of England in the Cottonian Library ; both written by the same Hand. One of them has the King's Seal to it ; the other now has none ; tho

¹ Cotton MS. xiii. 31 b.

by the slits in the Parchment it appears to have had three Seals. An unfortunate Fire, that happen'd in the said Library the 23 of October 1731 and destroy'd and damag'd a considerable number of Books, shrivell'd up both sides of the former Magna Charta and melted the Wax of the Seal, so that the Impression cannot now be discern'd. However I know it bore the Impression of K. John's Seal before the Fire happen'd.¹ And to transmit to Posterity the Writing thereof, this Copy is engraven in y^e same Form and Hand; having only Nineteen Letters supply'd from y^e other Original, which are wanting in this by reason of two holes in the Parchment.

The missing letters are then specified, though it will be observed that the correct number was twenty-seven. There follows a certificate that the engraved copy has been compared with the original and agrees therewith except with regard to the missing letters which are supplied from the other original. This is signed by N. Hardinge, clerk to the house of commons, and the above-named John Lawton, George Holmes, and David Casley.

It is natural that, after the lapse of nearly two hundred years since the fire, the condition of the injured manuscript should have deteriorated, but whether or no the lapse of time alone would be sufficient to reduce the document to its present condition may be questioned. Whatever attempts at restoration were made immediately after the fire, the manuscript was almost all legible eighteen months later when the engraving was made. There is no record of the date when the charter was gummed to another skin, mounted and placed in its present frame; perhaps the process may have accelerated the decay. About the year 1800, and again between 1824 and 1842, there was considerable activity in repairing and restoring the injured Cottonian manuscripts.²

A pamphlet issued by the trustees of the museum about the end of the nineteenth century, containing the text of manuscript Cⁱ, states that Cⁱ was then 'almost entirely illegible'.

Charter Cⁱ seems to have been first printed in the edition of Rapin's *History of England* published in 1732 (i. 293), where it is said to be printed from the copy of the learned Mr. Cassley [*sic*], and the missing letters are shown in black-letter type. The text is certified by David Cassley [*sic*] to have been examined and compared with the original in the Cottonian library.

In 1759 Sir William Blackstone published his *Great Charter and Charter of the Forest*, taking his text of the former from Pine's engraving.³ In the reissue of the work in 1762 it is said

¹ It is the deputy keeper of the Cottonian library who makes the assertion, not Pine the engraver, as stated in a former page of this Review (*ante*, xxviii. 449).

² Planta, *Catalogue of the Cott. MSS.*, 1802, p. xiv; Edwards, *Lives of the Founders of the British Museum* (1870), pp. 141, 142.

³ p. xvii.

that the Great Charter 'is carefully printed from Pine's engraving of the Cottonian original, with which it has been also compared'.¹ In the next page the author tells us that his published copy of the charter has been collated with the second Cottonian manuscript (Cⁱⁱ) since his quarto edition was published. From this it may be gathered that Cⁱⁱ and not Cⁱ was the original with which his copy was compared.

Manuscript Cⁱ was examined by the record commissioners when selecting the charters to be included in the *Statutes of the Realm* in 1810. They printed the text of John's charter from the manuscript in Lincoln cathedral, of which they also inserted an engraved facsimile. They say that

the various readings marked Cⁱ and Cⁱⁱ are from the two charters of the Cotton manuscripts. Cⁱ refers to the charter from which an engraved copy was made by Pine and from which the copy in Blackstone's *Charters*² was printed. It is now secured with a frame and glass and some part of the Great Seal remains annexed, but the whole is considerably injured.

In a later passage the commissioners say that the Lincoln charter appears to be of superior authority to either of the two charters of the same date preserved in the British Museum. . . . It is observable that several words and sentences are inserted in the body of this charter which in both the charters preserved in the British Museum are added by way of notes for amendment at the bottom of the instrument.³

The commissioners do not tell us how far Cⁱ was then legible, but they do not say it was illegible. The 'Notes for amendment', in the shape of additions, to which they refer, are shown in Pine's engraving and also by Professor McKechnie in his *Magna Carta*.⁴ The following are the passages as amended, the additions being enclosed in brackets, and the reference marks being those shown in Pine's engraving :

°—Omnes malae consuetudines de forestis et warennis, et de forestariis et warennariis, vicecomitibus et eorum ministris, ripariis et earum custodibus, statim inquirantur in quolibet comitatu per duodecim milites iuratos de eodem comitatu, qui debent eligi per probos homines eiusdem comitatus, et infra quadraginta dies post inquisitionem factam penitus, ita quod numquam revocentur, deleantur [per eosdem, ita quod nos hoc sciamus prius, vel iusticiarius noster, si in Anglia non fuerimus] (c. 48).

—° Eundem autem respectum habebimus,⁵ [et eodem modo de iusticia exhibenda] de forestis deafforestandis [vel remansuris forestis], quas Henricus pater noster vel Ricardus frater noster afforestaverunt . . . (c. 53).

÷ Si nos disseisivimus vel elongavimus Walenses de terris vel liberta-

¹ Blackstone, *Law Tracts*, II. xxviii.

² 4to edition, pp. 10–24.

³ *Statutes of the Realm*, I. vii, xxix.

⁴ ed. 1914, pp. 166, n. 1 ; 438, n. 4 ; 450, n. 2 ; 456, n. ; 465, n. 2.

⁵ That is, for the term commonly allowed to crusaders.

tibus vel rebus aliis, sine legali iudicio parium suorum, [in Anglia vel in Wallia] eis statim reddantur . . . (c. 56).

∴ Cum autem pro Deo, et ad emendacionem regni nostri, et ad melius sopiendum discordiam inter nos et barones nostros ortam, haec omnia predicta concesserimus, volentes ea integra et firma stabilitate [in perpetuum] gaudere . . . (c. 61).

With regard to all four additions it will be observed that there is no indication of a scribal error, such as that the omitted words are obviously required by the context or that the transcriber's eye has wandered from one clause to another ending in the same word. Consideration will also be given to the fact that this is a royal charter, and one would expect the most skilful scribes to be employed in its engrossment. If a distinction is to be drawn, though it may be unnecessary for the present purpose, it will be in favour of the first two of the four additions being the consequence of an oversight, not of the scribe, but of the parties to the transaction.

Until Dr. McKechnie's *Magna Carta* appeared, the best account of the charter was that contained in Richard Thomson's *Historical Essay on Magna Charta* (1829). Thomson¹ points out that the words omitted and added for insertion at the foot of Cⁱ may probably be a proof of the superior antiquity of that copy, and this is confirmed by Dr. McKechnie.²

To sum up the eventful career of this manuscript. In its first year, as it seems, it was lodged at Dover Castle. In 1630 the lieutenant of the castle and official custodian of the charter made a present of it to an eminent collector of manuscripts. Had it reached Sir Robert Cotton's hands a few months earlier it would have formed part of his library at the time it was seized by the state, and perhaps, being restored to the muniment-room at Dover Castle, it would have been bartered away to one of the 'consumers of parchment who supplied their needs by a small bribe to the porter'.³ It escaped that fate, and upon the restoration of Cotton's library after his death the manuscript was added to the Cottonian collection.

In 1650 the library was removed from Connington, the home of the Cottons, to Stratton, a hamlet in the parish of Biggleswade, where it was preserved from plunder by Bromsal, the high sheriff of the county.⁴ It was at Cotton House, Westminster, in 1700, where an act (12 & 13 William III, c. 7) was passed for vesting it in trustees for the use of the public. The library was removed to Essex House, in the Strand, in 1712, and thence to Ashburnham House, Westminster, in 1731. In October

¹ p. 422.

² pp. 169, 170.

³ *Archaeologia Cantiana*, ix. 54.

⁴ Stukeley, *Itinerarium Curiosum*, ed. 1724, p. 74; Lysons, *Magna Britannia*, i. 57.

of the same year many of the manuscripts were destroyed by fire, and charter Cⁱ was shrivelled up and rendered partly illegible. After the fire the remains of the library were removed to a dormitory lately built for the scholars of Westminster School. Upon the foundation of the British Museum under the act 26 George II, c. 22, passed in 1753, the Cottonian collection was placed in the care of the trustees of the museum, and there the manuscript has remained down to the present time.

Cⁱⁱ (BRIT. MUS., COTTON. AUGUSTUS, ii. 106)

This manuscript, a photographic reproduction of which has been published by the trustees of the British Museum, is the one selected by Dr. McKechnie for his text.¹ Except the spelling and contractions and unimportant transpositions of some words, the text is identical with that of Cⁱ. The additions with the reference marks °— and —° (see above) appear at the foot of Cⁱⁱ, but those marked ÷ and ∴ are in the main body of the text. The manuscript, which is legible throughout, is written on a skin of vellum 20 inches long by 13 inches wide, now gummed to another skin for preservation. It consists of fifty-two lines written parallel with the length of the skin and differing in this respect from Cⁱ. There is no seal, but there are three slits at the foot, the largest of which, in the centre of the vellum, was apparently intended for a seal. With regard to the other two some observations will be made later.

We learn from the pamphlet already referred to, issued by the trustees of the museum, that a memorandum on the back of this charter, now obliterated, showed the source from which it was derived. The memorandum was as follows: 'Venerabili et digno Viro Roberto Cotton, militi, hoc antiquum presentat scriptum Humphredus Wyems, primo Januarii, 1628.' Who Wyems was, and where he obtained the charter, is not known to the present writer.

Thomas Smith, in the preface to his *Catalogue* of the Cottonian manuscripts (1696), says that he remembers to have seen and handled an original charter of King John in which the laws and liberties of England are established, secured by the seals of the barons who were present, given by Sir Edward Dering to Sir Robert Cotton in token of the respect and affection which he bore to him, A. D. 1630, but which, he knows not by what fraud, has been made away with. James Tyrrell, in his *General History of England*,² quotes the text of John's charter from Matthew Paris, having collated it with two originals, one in the Cottonian library, the other at Salisbury cathedral.³ At the ends

¹ *Magna Carta*, p. 185, n.

² Vol. ii (1700), appendix.

³ The collation is not exact.

of the originals, he says, are apertures where labels to which seals were affixed were put, but which at some time have been torn away. He adds, with reference to the Cottonian charter, that the original, having lain hid in the library for the last age, was accidentally discovered by Mr. George Holmes, deputy keeper of the records in the Tower, and is extant in the library 'sub Effig. Augusti, A, 2, f. penult.' At the bottom of the manuscript, he says, are found certain words, and then he quotes the first two of the four additions mentioned above in connexion with manuscripts Cⁱ and Cⁱⁱ.

The charter referred to by Tyrrell as having lain hid is clearly identical with our Cⁱⁱ. It is not so easy to identify that described by Thomas Smith. His memory must have deceived him, for the charter given by Dering to Cotton was certainly not secured by the seals of the barons, and it is most unlikely that any copy of the charter was so sealed. It seems probable that the same missing charter, that is Cⁱⁱ, was referred to by Smith and Tyrrell.

As already stated, manuscript Cⁱⁱ was resorted to, to supply the letters obliterated by fire in Cⁱ. Rapin¹ says that both the Cottonian charters (Cⁱ and Cⁱⁱ) 'were visibly writ by the same hand. That which hath no seal has two slits at the bottom, from which, without question, hung two seals'. If Rapin is right, and there were only two slits in 1732, the third, which is now shown in the reproduction, must have been made since. But Rapin was mistaken, for Casley, in the notes at the foot of the engraving,² tells us that by the slits in the parchment (of Cⁱⁱ) it appears to have had three seals. Blackstone³ speaks of three slits, 'one, larger than the rest, in the middle, and two smaller, on one side of it'. The label attached to the manuscript by the museum authorities refers to one slit only.

The report of the house of commons committee in 1732⁴ refers to the two Cottonian charters as originals, from one of which (Cⁱⁱ) 'the seal has long since been lost or plucked off'.

The report of the record commissioners of 1810 refers to Cⁱⁱ as 'a charter bound up with other original instruments in a large volume, Augustus II, no. 106 in the volume'. At a later period the manuscript was removed from the volume and placed separately in a frame under glass, in which position it now remains, shaded from the light.

S (MANUSCRIPT IN THE ARCHIVES OF SALISBURY CATHEDRAL)

So far as appears, this manuscript was placed with the cathedral archives at the time of the granting of the charter. It has not been printed separately, but it was collated by Tyrrell

¹ *History of England*, ed. 1732, i. 293.

² *Law Tracts* (1762), II. xxix.

³ See p. 324, above.

⁴ See p. 323, above.

in 1700 with the copy in Matthew Paris and our manuscript Cⁱⁱ.¹

Early in the eighteenth century S was missing, and the suggestion was made that Gilbert Burnet, bishop of Salisbury from 1689 to 1715, had borrowed and not returned it. The bishop was the lawful possessor of the 'Articles of the Barons', to which the Great Seal was attached, and this may have given rise to the notion that the charter was in his possession. Twice in the *History of his own Time* he refers to his ownership of the 'Articles', which he believed to be the original charter. He says the document was given to him by Colonel Lee, son of the executor of Warner, bishop of Rochester, who removed it from Lambeth Palace, with the authority of Archbishop Laud. 'So', says Burnet, 'it is now in my hands and came very fairly to me.' Again, he says: 'The original of King John's *Magna Charta*, with his great seal to it, was then given to me by a gentleman that found it among his father's papers.'² Bishop Burnet was vindicated (if vindication was necessary) by the discovery of charter S amongst the manuscripts at Salisbury about the year 1814.³ Sir William Blackstone had inquired for it without success when editing *The Great Charter* in 1759, and the record commissioners had failed to discover it in 1806.

Manuscript S is carefully written in a contemporary hand, on a skin of vellum 17½ inches long by 14 inches wide. It consists of seventy-six lines written parallel with the width of the skin. The additions which have been noted as made at the foot of manuscript Cⁱ⁴ are embodied in the text of the Salisbury charter. The charter has no fold at the bottom, nor does it appear that there ever was one. A seal seems to have been attached formerly, by a cord passing through two eyelet holes pierced in the centre of the lower margin of the vellum. The seal has been removed by two incisions reaching from the foot of the vellum to the holes, so that the seal with its cord could be detached entire.

L (MANUSCRIPT IN THE ARCHIVES OF LINCOLN CATHEDRAL)

This, like the Salisbury charter, has probably remained in its present keeping since the year 1215. We have seen that it was selected by the record commissioners for publication in 1810, on the ground that it was 'of superior authority' to the two charters at the British Museum. An engraved facsimile of L, with the Latin text showing the variations from Cⁱ and Cⁱⁱ and from the copy in the *Red Book of the Exchequer*, are in the first

¹ See p. 327, above.

² *History of his own Time*, i. 32, 812.

³ Dodsworth, *Historical Account of Salisbury Cathedral*, p. 202, n.

⁴ pp. 325, 326.

volume of the *Statutes of the Realm* and in Rymer's *Foedera*.¹ The existence of this charter seems to have been unknown or forgotten until it was brought to light by the record commissioners. No reference to it is to be found, so far as the present writer is aware, in any publication before the nineteenth century. In 1837 Sir Thomas Duffus Hardy thought that the Lincoln manuscript was not contemporary with the date of the charter, and declared that no contemporary copy of John's Magna Carta had been found, overlooking the fact that there was one copy in existence with the remains of the Great Seal attached.² The manuscript is carefully written and, according to the opinion generally received, in a contemporary hand. It is written in fifty-four lines on a skin of vellum 18½ inches long by 17¾ inches wide, the lines being parallel with the length of the skin. There are three eyelet holes, arranged in the form of a pyramid, piercing through both thicknesses of the fold, and intended for the insertion of a cord to which the seal was probably attached. The engraver of the facsimile has omitted to depict these holes. There are no incisions in the fold of the charter by which the seal and its cord could have been removed intact, so that to detach the seal the cord must have been cut.

The following observations are suggested by a comparison of the four manuscripts: The texts of C^I, C^{II}, and L are more correct than that of S, which contains some obvious clerical errors. In the thirty-sixth line of manuscript S (c. 35) we find 'una cervisie' as compared with 'una mensura cervisie' in the other three manuscripts. In line 59 (c. 57) the words 'vel elongatus' are omitted from S, but appear in the other three manuscripts. In line 73 (c. 62) the words 'Domini Henrici Dublinensis Archiepiscopi' are omitted from S but appear in the other three manuscripts. In the spelling of words and the order in which they are placed C^I and C^{II} correspond more nearly with one another than with either of the other two manuscripts, but there are more points of agreement in this respect between C^I and C^{II} and L than between C^I and C^{II} and S. One peculiarity of the scribe of S is that he prefers to use the future indicative when the other three manuscripts have the present subjunctive, e. g. lines 33 and 34 (c. 30), 'capiet' for 'capiat' (twice); line 51 (c. 52), 'fiet' for 'fiat'; line 57 (c. 55), 'substituentur' for 'substituantur'; line 65 (c. 61), 'accedent' for 'accedant'; in this last case L agrees with S. The chief variations between C^I and C^{II} are these: In C^I the additions marked ÷ and ∴ are at the foot of the document, while they are embodied in the main text of C^{II}. In three instances words are transposed. For the 'Andream Petrum ⁊ Gyonem' of C^I (line 54, c. 50) we have 'Petrum et Gionem et Andream' in C^{II} (line 33). In this instance the other two manuscripts agree with C^I. For the 'gaudere in perpetuum' of C^I (line 70, c. 61) we have 'in perpetuum gaudere' in C^{II} (line 42). For the Septimo

¹ ed. 1816, i. 131.

² Introduction to *Rotuli Chartarum* (Rec. Com.), p. ii, n. 5.

decimo' of C¹ (line 85, c. 63) we have 'Decimo septimo' in C¹¹ (line 51). In this instance, also, the other two manuscripts agree with C¹. The writer of C¹ almost invariably uses the sign τ , while the writer of C¹¹ more frequently writes 'et'. The additions marked $^{\circ}$ — and — $^{\circ}$ at the foot of both manuscripts (though not distinguished by those marks in C¹¹) prove C¹ and C¹¹ to be nearly connected.

According to the chroniclers many copies of John's charter under the Great Seal were issued. In the *Annals of Dunstable* it is said that the charter was deposited by each of the bishops in a place of safety.¹ This surely implies that the copies deposited were authenticated by the Great Seal. Ralph de Coggeshall says definitely that a copy under the royal seal was issued to each county.² We know that immediately after sealing the charter, John issued writs to the sheriffs commanding them, amongst other things, to cause it to be read publicly throughout their bailiwicks.³ Dr. Poole finds it difficult to believe that the charter was actually read aloud in Latin in the county court,⁴ but the language of the writ is plain: 'quam etiam legi publice precepimus per totam ballivam vestram.' To read out the charter in Latin would occupy about half an hour. Whether it were read in Latin, in French, or in English, would make no great difference, for the terms of the charter, so communicated, would be unintelligible in any language to those unlearned in the law, that is, to all but the few who would be already informed of its contents. But the existence of the charter would be made known by the reading of it, and those who were interested would be put upon inquiry.

It has been supposed that the letters testimonial mentioned in the sixty-second chapter of the charter were intended for the sheriffs,⁵ but this seems doubtful. The forty-ninth of the 'Articles of the Barons' provides that the king will make the twenty-five barons secure by the charters of the archbishops, the bishops, and the legate, that he will procure nothing from the pope by which any of the compacts thereby made can be revoked or diminished, and that if he shall procure any such thing it shall be considered null and void and that he will not make use of it. This bargain between the king and the barons, for the king had sealed the 'Articles', could not bind the bishops and the legate who were no parties to it, and a modified provision appears in the charter. By the sixty-first chapter (at the end) the king promises that he will procure nothing from any one, by himself or by another, whereby any part of those concessions and liberties

¹ *Annales Monastici* (Rolls Series), iii. 43.

² *Chronicon Anglicanum* (Rolls Series), p. 172.

³ Writ 19 June 1215, *Foedera* (ed. 1816), i. 134.

⁴ *Ante*, xxviii. 450.

⁵ McKechnie, pp. 41, 42.

shall be revoked or diminished ; and that if any such thing shall have been procured, it shall be null and void and he will make no use of it by himself or by another. This will, if the charter is adhered to, prevent the king from applying to the pope to annul the charter, but it will not prevent the ecclesiastical authorities from doing so. The sixty-second chapter recites that the king has pardoned to every one the ill will, hatred, and bitterness that have arisen and trespasses occasioned by the quarrel, and on this head has caused to be made for them letters testimonial of the archbishops, the bishops, and the legate as touching that security and the concessions aforesaid. By the letters the ecclesiastics certify that they have inspected the charter, which they quote at length :

et ne huic forme prediete aliquid possit addi vel ab eadem aliquid possit subtrahi vel minui, huic scripto sigilla nostra apposuimus.¹

The letters testimonial are an admission by the bishops and the legate that the terms of the charter cannot be altered, but they do not fetter the pope's action. They are an admission which the barons may be glad to have in default of obtaining the precise terms promised by the ' Articles ', but they are not intended to be a means of promulgating the charter. It is not necessary to suppose that more than one copy of the letters was sealed. There is no provision for letters testimonial in the charters of 1216, 1217, and 1225. Looking back we find Roger of Wendover stating with regard to Henry I's charter of liberties that

Factae sunt tot chartae quot sunt comitatus in Anglia, et, rege iubente, positae in abbatiis singulorum comitatuum ad monumentum.²

On the reissue of the charter in 1217, copies were sent to the sheriffs with writs directing it to be published and enforced. The statute *Confirmatio Chartarum* (25 Edward I) directs that the Charter of Liberties and Charter of the Forest

soient envieez a noz justices, ausi bien de la forest, sicume as autres, e a touz les viscountes des counteez, e a toutz nos autres ministres, e a toutes noz cyteez par my la terre, ensemblement ove nos brefs, en les quieux serra countenu k'il facent les avauntedites chartres puplier, e ke il facent dire au pueple ke nous les avuns graunties de tenir les en toutz leur pointz.

The sheriffs needed no further authority for publishing the charter than the writs directed to them.

The reason given by the record commissioners to prove that manuscript L is of superior authority to Cⁱ and Cⁱⁱ is not convincing. The commissioners say (as if to prove the superiority)

¹ McKechnie, p. 478, n.

² *Rogeri de Wendover Flores Historiarum*, ii. 164.

that words and sentences inserted in the body of L are added by way of notes for amendment at the bottom of Cⁱ and Cⁱⁱ.¹ If the additions at the foot of Cⁱ and Cⁱⁱ had not been embodied in L, the question which was of superior authority might have arisen. But if the contents of the three documents are practically identical, and all three are verified by the Great Seal, they are all of equal authority. The variations in the spelling and contraction and transposition of words in the three manuscripts are immaterial to the sense of the contents. If one of them were ill-spelt it would be a matter for comment, but would have no bearing on the point of authority. The question of priority is another matter. The first of the three to receive the Great Seal was of authority before the others came into existence.

In picturing the course of procedure in the preparation and execution of the charter at Runnymede, the urgency of the matter must be borne in mind. The barons would admit of no delay; they would give John no time to change his mind. It is estimated that the writing of the charter would occupy not less than a day,² and the barons would not consent to delay. They had already required the Great Seal to be affixed to their 'Articles'. They now insisted that an engrossment of the charter with visible alterations should be sealed. The sealing of the 'Articles' signified a general acceptance of terms which were afterwards elaborated and conclusively fixed by the sealing of the charter. When the seal was attached to the altered engrossment of the charter the barons were secure, and could afford to wait for the re-engrossment of duplicates, if these were necessary.

Professor Stenton informs me with regard to the practice of making additions to writs and charters, that William II and Henry I often insert a postscript after the attestations, but by the time of Henry II this has become very unusual. With regard to Richard I and John, hardly any work has yet been done on the diplomatic of the charters, and it is therefore impossible to express an opinion as to the general custom of making additions; but Magna Carta stands apart, as the longest document issued in the king's name since the Conquest, and one written out under circumstances of special urgency. It can

¹ See p. 325, above.

² An experienced law stationer tells me that a careful writer would engross on parchment 'in old engrossing hand' about five folios of seventy-two words in an hour. This is in English. The Latin text of John's charter contains about forty-eight folios. Bearing in mind that there would be more long words in a Latin than in an English text, and, on the other hand, that the Latin text is abbreviated, whereas all words are written at length in English, and, further, that a medieval scribe was more accustomed to write in medieval hand than is a modern scribe in old engrossing hand, I reckon that the Great Charter may have been engrossed at the rate of six folios an hour, and, if so, it took eight hours to complete.

safely be said that while postscript clauses are undoubtedly exceptional, they are explained by the exceptional circumstances in this instance.

The fact that the charter was prepared in haste may account for the sealing of a copy with alterations, and this suggests that the altered copy may have been an early one, and that copies with no visible alterations, but including additions in the body of the text, were prepared at a later date when there was less reason for expedition.

If the above assumptions are correct, manuscripts S and L are two of the later issue. They bear no marks of haste, and there is confirmatory evidence in the fact that the passages shown as additions in Cⁱ and Cⁱⁱ are embodied in the text of S and L. Evidence that S and L once had seals has already been adduced. The seals were attached by cords passed through eyelet holes and not, as in the case of Cⁱ, by a thong of vellum through a slit. This is perhaps an indication that S and L were not sealed at the same time as Cⁱ.

Of the two Cottonian charters Cⁱ was certainly sealed; that Cⁱⁱ was sealed is not so certain. It has been noted above that there are three slits in the vellum at the foot of Cⁱⁱ. These can only be studied in the photographic reproduction of the charter because the original has been mounted and framed and the slits are covered by the mount. The slits are of unequal sizes. The largest, $1\frac{1}{8}$ inches in length, is equidistant from the side margins of the vellum, in the place where we should expect to find a seal. The other two, $\frac{5}{8}$ of an inch and $\frac{7}{16}$ of an inch in length, respectively, are at unequal distances to the right of the first and, roughly, in a horizontal line with it. They have never been satisfactorily accounted for. It appears to have been suggested that these three slits were for seals of the barons,¹ but was any royal charter ever signed by the grantees? Besides, three barons cannot have constituted themselves representatives of the whole kingdom. It was contemplated that the barons should be bound by another method; witness the protest of the prelates that the barons had refused to perform their undertaking to bind themselves by a charter to be faithful to the king.² The alternative suggestion must be that the two smaller slits owe their existence to accident or mischief. If they are made for seals they are not the work of a skilled hand. From their appearance they might rather be taken for the work of John's own hand—stabs with a knife or a dagger—the visible evidence of his fury against the barons. In the absence of evidence to support such a supposition we can only say that the appearance of the slits betokens an irregular cause of existence. The centre slit is only $\frac{3}{8}$ of an inch from the lower edge of the vellum, and much too near to allow us to suppose that this was the original condition of the charter. The danger of fastening a seal by a slit so near the edge is obvious. It seems certain that originally there

¹ Thomson, *Hist. Essay on Magna Charta*, p. 274, 425.

² McKechnie, p. 497.

was a fold at the foot of the charter. The slit pierced both thicknesses of the fold and was intended to secure the thong which passed through both slits and held the seal, if there was one. It is clear that the seal was not detached by cutting the skin on which the charter is written (as was done in the case of the Salisbury charter) because the slit in what was the under portion of the fold remains intact. If the person who cut off the fold had wished to detach the seal, he would have cut the underside of the fold above the slit, whereas he actually cut $\frac{3}{8}$ of an inch below it. From this fact it may be concluded that there was no seal at the time the fold was cut off. It is still possible that the seal was removed by cutting the thong at an earlier date. The slit in the original, which for the reason given above is at present invisible, might indicate by its condition whether a thong has been attached.

There is probable evidence, however, in the written contents of the charter that it never was sealed. We know that Cⁱ was sealed and that both charters had additions at the foot with reference marks in Cⁱ to the places in the text to which the additions belonged. It is improbable that two charters with visible alterations would receive the Great Seal. It was a matter of urgency that one should be sealed; that done, there was time for re-engrossment.

The question why Cⁱ was chosen to receive the seal, and not Cⁱⁱ, is not a very important one, but an answer may be found in the fact that Cⁱ was considered the more complete document. The references to the additions at the foot are clearer in Cⁱ than in Cⁱⁱ, if Pine's engraving can be trusted. If the two smaller slits in Cⁱⁱ are contemporary with the date of the charter, that may have been a reason for discarding this engrossment. It may be Cⁱ was preferred merely for the reason that it was engrossed parallel with the width, whereas the manuscript lines of Cⁱⁱ are parallel with the length, of the skin.

Possibly our sealed manuscript Cⁱ, if it stood for a time as the original charter, was considered to be superseded by a more correct engrossment which was sealed later. This possibility was perhaps in the mind of the record commissioners when they chose the text of the Lincoln charter for publication in 1810. They do not say that text is the earliest, but that it is of superior authority. If, however, the Lincoln charter, or one like it, superseded Cⁱ, it was of no greater authority and was itself superseded seventeen months later by the first charter of Henry III. Cⁱ may have had a short reign, but while it lasted the charter was as binding on the king as any of its successors.

The arrangement and numbering of the sections or chapters of John's charter adopted by modern writers seems to have originated with Blackstone. Tyrrell,¹ following the text of Matthew Paris,² and Rapin,³ following that of the Cottonian MSS. Cⁱ and Cⁱⁱ, differ from each other and from the modern plan. In his preface to the charter Blackstone says: ⁴ 'The

¹ *Gen. Hist. of England*, II, pt. II, app., p. 9.

² *Chronica Maiora* (ed. Luard, Rolls Series, no. 57), II, 589.

³ *Hist. Eng.* I, 285.

⁴ *Law Tracts*, II, xxix, n.; and see Blackstone, *The Great Charter* (1759), Intro., xvi.

common arabic cyphers mark the sections of the charter itself in numerical order', and his sections will be found to correspond as far as possible with those of Matthew Paris's version. The correspondence cannot be complete, for Paris has endeavoured to combine Henry III's charter of 1225 with that of John and has attached John's name to the forest charter of that year, besides omitting several clauses from the charter of 1215.¹ Disregarding the sections introduced by Matthew Paris from the charter of 1225, the first forty-three sections of Blackstone's version correspond with those of Matthew Paris.²

JOHN C. FOX.

¹ See *Chronica Maiora*, pp. xxxiii-xxxvi, 589-604.

² It seems certain that John dispatched a duplicate of the charter to Rome, as the grant was annulled by the pope in August 1215. In reply to a recent inquiry of the librarian of the Vatican whether the charter was amongst the archives, the writer received the following reply: 'Chartam libertatis a Iohanne Anglorum rege a. 1215 datam in Archivo Vaticano frustra inquisivimus: quod expectandum erat. Eam namque profecto reperissent ante nos viri docti Angli qui per tot annos documenta ad res Anglicas pertinentia diligenter exploraverunt in usum Officii a publicis memoriis nuncupati.'

More recently, the writer received the following extract from a friend who, unfortunately, cannot remember from what source it was obtained: 'In 1245 a fire broke out in the Pope's palace and destroyed the chamber in which the principal deed of the Magna Charta was kept.'

The Cornish and Welsh Pirates in the Reign of Elizabeth

THE Elizabethan age witnessed a curious phase in the history of piracy. The undertakings off the western coast became purely commercial. The sea voyages of the pirates were very brief, but produced a safe profit. There was neither excitement nor cruelty. The characteristic of the English pirates was a caution occasionally disturbed by avarice. Their success would have been much more prolonged had the capitalist landowners who financed them not proved themselves such imprudent investors. An elaborate system of piracy was carried on intermittently during the whole of the reign. Arrangements between the gentry, the local officials, and the pirates ensured the safety in normal times of this organized traffic. Different companies often sailed together and divided the spoil of the trade routes, while the landowners who supported them were allied from Kerry to Dorset. A few of their havens—one in Dorset, one in Cornwall, three or four in Ireland, and one or two in Wales—were immune from sudden attack. They were nearly always privately owned, some of them were never used for legitimate traffic, and they were all more or less secret. No search was ever successful. In Cornwall and Wales it was impossible to muster such forces as the Crown controlled without arousing suspicion. No pirate captain was ever taken while unloading a cargo in secrecy, and it was above all the secure possession of these harbours that made the traffic successful.

There were many reasons likely to induce the gentry to take a share in this piracy—the safe profits, the slight risks, and the opportunity for obtaining a valuable return from the possession of foreshore and coves which were otherwise useless. The cargoes alone were often worth £1,000,¹ and the receiver of course made the bulk of the profit. It seems that in Cornwall the pirate obtained one-fifth of the value,² the receiver taking the risks of

¹ The more normal figures for coasting traffic varied between £150 and £400 (*Acts of the Privy Council*, xix. 367). The value of ship and cargo might rise to £4,000 or £5,000 (*Cal. of State Papers, Dom., Addenda, 1580–1625*, p. 230, and *Acts of the Privy Council*, xxvi. 204). In 1592 four barques on a voyage from Bristol to Carmarthen were despoiled of silks, velvets, and wines to the value of £10,000 (*Acts of the Privy Council*, xxiii. 208).

² *Acts of the Privy Council*, xxvi. 112.

disposal. The absence of any very great reward was compensated for by the regularity of the captures, for the normal limits of action were the Isle of Man¹ and Belle Isle.² Sometimes ships were boarded at night, but this occurred chiefly in Falmouth Harbour,³ where the ships often lay near the mouth of the river some miles from Penrhyn. The most lucrative form of piracy seems to have been the attack on the coastal traffic, since household goods, especially plate, were easily realizable, and in Ireland these were nearly always sent by sea.⁴ The regular trade most frequently interrupted was that in Spanish and Gascon wines for Ireland and Bristol. Cargoes of wheat and salt⁵ were often taken. Sometimes British ships returning with fish from Newfoundland⁶ or Portuguese barques sailing for France with spices⁷ were captured, and occasionally a Santander coasting vessel with Spanish iron.⁸ If the cargoes could not be disposed of in England or Wales they were taken to Ireland, and in the last resort were sent away to the coasts of Galicia or to obscure Portuguese towns like Avero.⁹

This traffic was fairly safe. There were no warships in the Irish Sea except on rare voyages to interrupt communications with Spain and half-private expeditions like Sir Peter Carew's.¹⁰ There was no regular patrol off the Welsh coast.¹¹ The official guardship of the vice-admiral, the *Flying Hart*, seems to have made Newport her head-quarters until in 1578 she was plundered by pirates.¹² During the whole of this period no pirate in the Bristol Channel was ever taken at sea, and in southern Ireland, except in Youghal, Cork, and Waterford, they were equally safe, while no really prominent pirate was ever arrested in Cornwall and Pembroke. The receivers were in a still better position and victualling was easy, for the royal officials in the west were corrupt and had direct intercourse with the pirates on a friendly basis of commerce. The deputy vice-admiral of Bristol was accused of releasing pirates for bribes.¹³ The customer inward of the port was convicted of sinister dealings. He deceived the

¹ *Acts of the Privy Council*, xvi. 367.

² *Ibid.* ix. 209.

³ *Cal. of State Papers, Dom.*, 1581-90.

⁴ *Acts of the Privy Council*, xix. 367, and xxviii. 282.

⁵ *Ibid.* xv. 45, and *Cal. of State Papers, Dom.*, 1591-4, p. 100.

⁶ *Cal. of State Papers, Dom.*, 1547-80, p. 554, and *Acts of the Privy Council*, ix. 209.

⁷ *Cal. of State Papers, Dom.*, *Addenda*, 1580-1625, p. 48.

⁸ *Acts of the Privy Council*, x. 14. The goods were distributed at the most favourable markets. One hundred and twenty thousand fish were landed at Studland in Dorset, while pearls were brought to Cork and Youghal for sale to the Irish (*ibid.* xxviii. 283, and viii. 87).

⁹ J. Phillips, 'Elizabethan Pembrokeshire', pt. ii, in *Archaeologia Cambrensis*, Series 5, xvi. 279.

¹⁰ *Cal. of State Papers, Dom.*, 1547-80, p. 251.

¹¹ *State Papers, Dom.*, Eliz., cxxiv, no. 28.

¹² Phillips, *ubi supra*, p. 299.

¹³ *Acts of the Privy Council*, ix. 366.

revenue and, together with the comptrollers and tide waiters, shared £20 or £30 from the customs on ships coming in from the Straits.¹ At Cardiff there were constant complaints. The comptroller of the port was ordered to be set in the pillory,² and when the chief local pirate arrived in Penarth Roads with his prizes it was with the serjeant of the admiralty that he stayed.³

The conditions of the traffic made the rovers completely dependent upon the owners of the coast. In former times isolated pirates had used some of the private harbours, but the improvement of the roads and the increased importance of the landowners, who still kept their armed retainers,⁴ made this impossible. There was also no longer any safe refuge between Lincolnshire and the Isle of Wight. The Channel pirates could not beat up all the way north to Ingoldmells.⁵ The most suitable harbours were Lulworth, Helford, and Laugharne, but the pirates could only succeed with the help of the lords of those country-sides. Lulworth Cove was of minor importance. There was no roadstead for ships and no vessel of more than 80 tons could lie inside the harbour. The local authorities were suspicious, and most of the landing of stolen cargoes had to be carried through during the night.⁶ Laugharne was safer. The lordship belonged to Sir John Perrot, who had recently built the castle,⁷ and there was little danger of interference, but the harbour was unprotected and there was no market town within reach. Helford Haven was a much better refuge than either. There was a good anchorage for ships of 200 tons,⁸ quite sufficient for the piracy along the coast. There were only two small fishing villages on the shore. The harbour was fed by no river and was quite deserted, yet it was a good centre for dispersal. Truro was within reach, and if the cargoes could not be sold in Cornwall they could be sent across to Brittany from Penrhyn. This country-side was controlled by the Killigrews of Arwennecke.⁹ It was their support of the pirates that led to the elaborate system of harbours of sale and harbours of refuge that were organized for piracy under Elizabeth.

The Killigrews were a great Cornish family. They were hereditary royal governors of Pendennis Castle.¹⁰ Sir John Killigrew was vice-admiral of Cornwall.¹¹ They were attached

¹ *Cal. of State Papers, Dom., 1598-1601*, p. 56.

² *Ibid.* p. 57.

³ *State Papers, Dom., Eliz., cxxiv*, no. 16.

⁴ *Acts of the Privy Council*, xvi. 351.

⁵ *Ibid.* xi. 12.

⁶ *State Papers, Dom., Eliz., cxxiv*, no. 16.

⁷ *Cal. of State Papers, Dom., 1595-7*, p. 490.

⁸ *Parochial Hist. of Cornwall*, iii. 262.

⁹ William Hals, *Hist. of Cornwall*, 1750, reprinted in the *Parochial Hist. of Cornwall*, i. 388.

¹⁰ Hals, i. 391.

¹¹ List of vice-admirals by Mr. R. G. Marsden, *ante*, xxiii. 739.

to the Cecils and had considerable influence at court. Their income from land was £1,000 a year.¹ In virtue of their position they had also a certain unofficial control over the movements of warships in their harbours.² From the early days of the reign until 1598 they were the mainstays of piracy.³ John Killigrew was a recognized leader.⁴ His uncle Peter had sailed the Irish seas as a rover.⁵ His mother, Lady Killigrew, was accused of leading a boarding party at Falmouth and murdering a factor in a Hanseatic ship for the sake of two barrels of Spanish pieces of eight.⁶ In normal times prizes were sent into Falmouth, but when there was any risk Helford was used. His dependants the Michells acted as receivers at Truro for the sale of the goods.⁷ His great house of Arwennecke, built in 1571, was near a solitary part of Falmouth Harbour and close to the open sea.⁸ Pendennis Castle was well armed with more than a hundred pieces.⁹ He sold the provisions of the castle.¹⁰ His influence in the west country was great. In 1597 a pirate came into Falmouth with a prize and found some royal ships riding at anchor there. Captain Killigrew went aboard them and agreed with the senior naval officer, Captain Jonas, 'for £100 not to take them but go into the country till they should get out'.¹¹

Other Cornish gentlemen followed the Killigrews, but they were less daring and far less successful. Mr. Prideaux encouraged piracy round Padstow, where a secret hiding-place was arranged below the cliffs,¹² and Mr. Roscarrock of Roscarrock hired two pirates to attack the galleon *Lombardo* of Venice as she was passing along the coast.¹³ In Wales there was a similar system. The pirates brought their prizes to Milford Haven or to Tenby,

¹ *Hatfield Papers*, viii. 155.

² *Cal. of State Papers, Dom.*, 1598-1601, p. 39.

³ *Hatfield Papers*, v. 519.

⁴ Among Killigrew's relatives engaged in this traffic, besides his father, mother, and uncle, were his first cousins John Michell and John Penrose of Kethicke and his more distant cousins Thomas Roscarrock of Roscarrock and John Maderne. His maternal grandfather, Philip Wolverston, was a pirate in Suffolk. See the Visitations of Cornwall and, for the individual charges, *Acts of the Privy Council*, vols. iv, ix-xiii, and xvi, and *Cal. of State Papers, Dom.*, 1547-80.

⁵ *Acts of the Privy Council*, iv. 245.

⁶ *Hatfield Papers*, v. 519, and an account of 'that Jezebel' by Hals in *Parochial Hist. of Cornwall*, i. 388-9.

⁷ *Acts of the Privy Council*, vii. 358.

⁸ Richard Carew, *Survey of Cornwall*, 1602, reprinted in *Parochial Hist. of Cornwall*, i. 393.

⁹ Hals, i. 391.

¹⁰ *Hatfield Papers*, v. 519.

¹¹ *Cal. of State Papers, Dom.*, 1598-1601, p. 40.

¹² *Acts of the Privy Council*, viii. 23. There were other hiding-places near the coast at this period, a refuge for stolen goods used by pirates in the Dale of Emyland in Cardigan and a cave by the sea-shore about three fathoms deep in Carnarvon used as a meeting-place for priests (*State Papers, Dom.*, Eliz., cxxviii, no. 35, and Robert Owen, *Cymry*, p. 116).

¹³ *Acts of the Privy Council*, xiv. 74.

which was quieter and where the deputy vice-admiral was a friend.¹ In reserve there was Laugharne and the landing-places of Cardigan; and Cornwall was always the centre of the organization. Killigrew's kinsman, Sir John Wogan, when vice-admiral of South Wales, was prosecuted for piracy during these years,² and kept two great guns with four chambers at Boulston³ to command the river approaches to his house. John Godolphin, a Cornishman and another cousin, was Sir John Perrot's steward, and managed much of this side of his affairs.⁴ In Ireland it was the same. A western base was established near Tralee⁵ by the vice-president of Munster, who was a neighbour of the Killigrews as member of parliament for Liskeard. The Dorset receivers were related⁶ also, and a constant communication was kept up by means of the pirate companies passing along the coast. John Killigrew had relations with all the pirates from 'the Terrible John Piers', who worked with his mother, a well-known witch in Cornwall,⁷ to the Lord Conchobar O'Driscoll, 'Sir Finian of the Ships'.⁸

The methods of communication between the pirates and their supporters varied from place to place along the coast. At Lulworth some fishermen acted as lodgers of pirates.⁹ In Wales the pirates could lodge with the agents of Sir John Perrot,¹⁰ but it was only in Cornwall and Ireland that hospitality was openly practised. The more respectable pirates stayed with Lady Killigrew at Arwennecke,¹¹ and Captains Heidon, Lusingham, and Corbet went with their crews into Beerhaven Castle¹² as the guests of the O'Sullivan Beare. In Dorset it was dangerous for the pirates to stay long ashore.¹³ Arwennecke had a private landing-place,¹⁴ and at Beerhaven they were received publicly,¹⁵ but Bryanston was several miles from the sea. The pirates were accustomed to lie off Melcombe Regis¹⁶ and their captains seldom ventured on the coast. There were eight lodgers of pirates at West Lulworth and four more in the neighbourhood.¹⁶ The cargoes were landed chiefly after dark and taken ashore in the

¹ *Ibid.* vii. 148.² *Ibid.* xix. 104.³ Francis Green, 'The Wogans of Boulston' in *Y Cymmrodor*, xv. 112.⁴ State Papers, Dom., Eliz., cxxiv. 28.⁵ *Cal. of State Papers, Ireland, 1558-92*, p. 192.⁶ Hutchins, *Hist. of Dorset*, i. 186.⁷ *Acts of the Privy Council*, xiii. 28.⁸ The odes of Tadhg MacDiarmid Oge and Donnchadh O'Fuaithail in *Miscellanea Celtica*, edited by John O'Donovan, pp. 347 and 373. For the use of Conchobar as an hereditary epithet, see *Annals of the Four Masters*, v. 1621.⁹ State Papers, Dom., Eliz., cxxiv. no. 16.¹⁰ *Ibid.*¹¹ *Hatfield Papers*, v. 37-8.¹² *Cal. of State Papers, Dom., 1547-80*, p. 251.¹³ State Papers, Dom., Eliz., cxxiv. no. 16.¹⁴ Carew in *Parochial Hist. of Cornwall*, i. 393.¹⁵ *Cal. of State Papers, Dom., Addenda, 1566-79*, p. 23.¹⁶ State Papers, Dom., Eliz., cxiii. no. 24, and cxxiv. no. 16.

fishing boats of Lulworth and stored at Mr. Francis Rogers's house there. Later they were taken in carts at night across the wheat fields to a manor belonging to Sir Richard Rogers,¹ the great landowner of those parts. The tenants acted as carriers and brought supplies for the pirates down to the coast, and the fishermen carried out the provisions in their boats.¹ Most of the stolen goods were bought by Sir Richard Rogers of Bryanston and his four brothers, while nearly the whole of the traffic was carried on by their tenants.¹ Much caution was necessary. The vice-admiral of Dorset, Lord Howard of Bindon, was an enemy, and he was building the castle of East Lulworth at this time. It was only the necessity for a landing-place some distance up Channel that induced the pirates to use so dangerous a harbour. Later, with the capture of various pirates in 1581, owing to the guard kept by the Howards,² it seems to have been abandoned by the various companies. Dartmouth was used as a temporary centre during the mayoralty of the Plomleighs,³ but it soon proved a failure. Until the end of the reign Helford, Milford, and the Irish ports remained places of refuge.

The pirates of the outer Channel could be divided into three classes, two of these being professional. Some were recognized leaders of companies and often worked together, dealing directly with their most important supporters.⁴ Others were also professional but of less standing. These hired themselves to the smaller gentry often for the speculation of a single voyage or adventure.⁵ In addition there were various seamen who indulged in casual and rather timid piracy from time to time. Captain John Callys was an excellent example of the first type, Captain Maris of the second, and Captain Arystotle Tottle of the third.

Captain Callys was a cousin of William Herbert⁶ of the earl of Pembroke's family. He had served as captain under Sir John Berkeley,⁷ a distinguished naval officer. His chief associations were with Glamorgan, where he had many friends among the local landowners, to whom he sold calivers.⁸ The comptroller and the serjeant of the admiralty at Cardiff were among his intimates. His company was well known in all the ports. He had stayed often with his cousin, had been entertained by Sir John Perrot's agent at Haverford and visited by Francis Rogers.⁹ With the O'Sullivan Beare he had relations.¹⁰ Though working sometimes alone, he was often in company with either Court

¹ State Papers, Dom., Eliz., cxiii. no. 24, and cxxiv, no. 16.

² *Acts of the Privy Council*, xiii. 272.

³ State Papers, Dom., Eliz., cxxiv, no. 16.

⁴ *Cal. of State Papers, Dom., 1598-1601*, p. 39.

⁵ *Acts of the Privy Council*, xiv. 74.

⁶ State Papers, Dom., Eliz., cxii, no. 5.

⁷ *Acts of the Privy Council*, viii. 230.

⁸ State Papers, Dom., Eliz., cxii, no. 5.

⁹ *Ibid.*, cxxiv, no. 16.

¹⁰ State Papers, Dom., Eliz., Addenda, xxv, no. 60.

Higgenberte or Robert Hickes,¹ a Saltash captain, and he had haunted the Irish seas with James Heidon,² the sole survivor of the earlier and more aristocratic band of 1564. Besides this there were other confederates, and, though the field of action was usually limited to the mouth of the Channel, he had landed goods in Denbigh³ and captured a prize off La Rochelle. In May 1577 he was arrested in the Isle of Wight⁴ and £22 7s. was found upon his person. Before his trial he gave the list of his receivers, and among his creditors was the deputy vice-admiral of South Wales.⁵ After this Captain Callys disappears⁶ from western piracy. The leaders of companies were sometimes foreigners like Court Higgenberte, or Count Hekenberch as he was often called, and Symon Ferdinando Portingale. The English were mostly from the yeoman families of the west, but Edward Herberde was a servant of Sir John Perrot and Griffith was a wealthy squire.⁷ The prospects were excellent for those who were able to retire in time.

Captain Maris had a certain official status as lieutenant of an Irish castle. He was one of the undertakers of Munster and a tenant of Sir Edward Denny.⁸ He seems to have sailed always in the service of others. He made a voyage for Sir Thomas Norris, the deputy president of Munster,⁹ and was probably at one time in the service of the Killigrews.¹⁰ Finally, he attached himself to Sir Edward Denny at Tralee. Tawlaght Castle was given to him as a permanent centre for this trade.¹¹ He was more fortunate than his companions. Other hired captains appear in the records from time to time. They were usually Irish¹² and their work was ill paid and perilous. At the best they could be employed by a syndicate, like Andrew Battyn, who was

¹ Hickes was one of the few English leaders of western companies to be hanged at Wapping. William Appleton, alias Captain Smith, also suffered. Edward Herberde cut his throat, and Piers was killed in a fight at sea, but many of the chief pirates died peacefully in different seaport towns, like Captain Grainger at Portsmouth and Captain Clarke at Gravelines (*Cal. of State Papers, Scottish*, ix. 512-14, and for Herberde, *Archæologia Cambrensis*, Series 5, xvi. 279).

² *Acts of the Privy Council*, ix. 89.

³ *Ibid.* ix. 73.

⁴ *Ibid.* ix. 337.

⁵ *State Papers, Dom., Eliz.*, cxiii, no. 24.

⁶ His later life was unhappy. Friends offered £500 to save him, and he was pardoned at the request of the earl of Morton, who had a personal interest. But in 1580 he was ambushed in the Orkneys and fell upon evil days, losing his independence. Two years later he commanded the pirate ship *Minikin* for Mr. Bellingham off the east coast. He was eventually killed in Barbary (*Cal. of State Papers, Scottish*, v. 308 and 449; vi. 513-14). Captain John Smith's statement, quoted by Mr. Philip Gosse in *The Pirates' Who's Who*, p. 72, that Callys was hanged at Wapping, seems to be incorrect.

⁷ *Cal. of State Papers, Dom.*, 1601-3, p. 293. He is said to have had £500 a year in land.

⁸ *Cal. of State Papers, Ireland*, 1588-92, p. 192.

⁹ *Acts of the Privy Council*, xiv. 37.

¹⁰ *Cal. of State Papers, Dom.*, 1547-80, p. 623.

¹¹ *Ibid.*, Ireland, 1588-92, p. 192.

¹² *Acts of the Privy Council*, xiv. 74.

commissioned by a group of Somersetshire squires and Bristol merchants to command the *Pleasure* for an extensive voyage.¹ But the prospects of these hired bravos were always very poor. The casual pirates had better fortune, and Captain Tottle made £100 by his adventure,² but then they always had some other occupation. It was probably very difficult for a professional pirate to obtain a ship for any normal voyage.

The pirates were on the whole loyal to their comrades, but their dealings with the receivers were rather more dubious. It was from confessions that the government obtained much of their information about the traffic, and Callys, for instance, gave a complete list of all his supporters. This was perhaps an act of vengeance. Thomas Lewis of the *Van in Bedwas* had been guilty of treachery. He had for long had dealings with the principal pirates, and had supplied his town house in Cardiff and his country manors from the spoils of the pirates in the Roads of Penarth.³ He conducted his negotiations by personal interview at his house. On one of their visits he had arrested Court Higgenberte and Ferdinando Portingale.⁴ The wider question of loyalty to the sovereign is more difficult to determine. The possibilities of treason lay chiefly with Spain and Barbary, and as regards the Spanish offers the pirates were usually loyal. At their trials they referred to the great bribes that they had refused as a reason for mercy,⁵ and only one pirate is recorded to have delivered his ship to the Spaniards.⁶ The numerous Englishmen concerned in the preparations for the second Armada do not seem to have engaged in this traffic. The dealings of the pirates with Spain open up the question of their relations with the native Irish. The lords of southern Ireland were valuable customers, and when the English markets failed cargoes could nearly always be disposed of in that country. All the harbours were open, especially during the first twenty years of the reign, and there was no need for elaborate precautions. The inner harbour at Killybegs protected by Rudraighe O'Donnell's⁷ fortress was no safer than the O'Driscoll's open roadstead in Roaringwater Bay. There was much generous hospitality and little rivalry, and this was always maintained. Sir Finian x O'Driscoll was a dependant and agent of the O'Sullivan Beare,⁸

¹ *Acts of the Privy Council*, xxiii. 218.

² *Ibid.* xxvi. 307.

³ *State Papers, Dom.*, Eliz., cxxiv, no. 16.

⁴ *Acts of the Privy Council*, ix. 268. While foreign leaders of companies were often captured, the English who were hanged were usually the meaner pirates like Hogges, Thomas Halfpenny, and Robert Trosher (*ibid.* ix. 240, and x. 351).

⁵ *Cal. of State Papers, Dom., Addenda, 1566-79*, p. 526.

⁶ *Cal. of State Papers, Dom., 1595-7*, p. 530.

⁷ *Annals of the Four Masters*, vi. 2221.

⁸ Appendix on the O'Driscolls by John O'Donovan in *Miscellanea Celtica*, referring to Philip O'Sullivan Beare, *Historiae Catholicae Ibernicae Compendium*, 1621.

who with his cousins the McCarthys controlled the whole coast line. Yet the whole objects of the English and Irish pirates were different. All these Irish leaders were in the service of Spain, and piracy also was looked on in the light of adventure, but the English were organized. This was their livelihood, commercial and passionless. They never regarded their work as a glorious warfare like the bards who sang the praises of Tibott na Longe or Graine O'Maille at Carraiconchoblaigh.¹ There is not evidence of much communication between the native lords and the Killigrews, and the connexion gradually ended as profitable markets were opened up by the settlers.

The increase of the professional element in the pirate bands is very marked during the reign, for the younger sons of the Cornish gentry soon left the traffic. Two were killed before Havre, many drifted off to the Indian seas, while others, like Peter Killigrew, retired ashore and financed the pirates instead of sailing themselves.² The few who held on were, like Justinian Talcarné,³ seldom successful. With their departure the bands adopted more orderly methods. There was no accusation of cruelty in western waters after the case of Anthony Courtenay in 1564.⁴ The regular captains like Hickes and Battes could not afford to indulge in these passions. The rather monotonous routine developed much caution, and this is notable in the dealings of the pirate captains with Barbary. Edward Glemham sold English captives to slavery in Algiers,⁵ but he was a Suffolk squire and quite independent. The western leaders were normally on a regular service and preferred a safe profit. A curious unpublished document among the confessions in the Domestic State Papers at the Record Office⁶ throws some light on this aspect. William Thickyns confessed his dealings at Milford Haven.

Batts had a ship of cxl tonnes and lay there with nothings in her but men and ordinance. He this deponent (as he sayethe) fell to practize withe Captaigne Batts, fyrst whether he would goe withe this deponent into Barbary uppon certen goode occasions, which this deponent did disclose unto him, and he said yea withe all his heart . . . and he said he would goe withe this examinant, but for his former contracte withe Sir William Morgan Knt, who was so worshipfull a gentleman that he could not finde in his heart to break his wordes to him.

¹ *Annals of the Four Masters*, vi. 2091. The only instance of similar popular fame in Wales was the case of Nicholas Hwk, Hwkes, or Hookes, 'the great pyrate', who left twenty-seven children in Aberconway and was himself the twenty-fifth child and fifteenth son of a merchant of that town (Lewis Dwnn, *Visitations of Wales*, ii. 162).

² *Cal. of State Papers, Dom.*, 1547-80, p. 308.

³ *State Papers, Dom.*, Eliz., cxxiv, no. 16.

⁴ *Acts of the Privy Council*, vii. 186.

⁵ *State Papers, Dom.*, Eliz., cxxiv, no. 66.

⁶ *Ibid.* xxviii. 247.

Thickyns was a gentleman who claimed to be the agent in England for the king of Barbary. Batts was a western pirate who had recently captured six hundred and thirty-four elephants' teeth in the outer Channel.¹ Sir William Morgan was governor of Dungarvan, marshal in Ireland, and one of the vice-admirals of South Wales.²

While the pirates were tolerably loyal to one another and rather treacherous to their supporters, the organizers of piracy behaved with great generosity.³ Their relations with one another were excellent. Though a very large proportion of Cornish landowners were concerned with the pirates there was no encroachment, but much mutual assistance. Only in Pembroke was their bad feeling due to Sir John Perrot's inveterate feuds.⁴ Lady Denny received stolen goods at Tralee.⁵ Her mother, Mrs. Edgecumbe, was accused of wrecking in Mount's Bay,⁶ and her uncle, Sir Richard Rogers, maintained the pirates at Lulworth. They were loyal to the government, and only Killigrew was in his later necessities betrayed into communication with Spain. This led to his ruin, but his overtures were probably not serious and only a last attempt to gain money to escape his embarrassments.⁷ Their relations with the pirates were, except in the case of Mr. Lewis, most friendly, nor was it their fault when in the end the pirates were taken. They were in no danger of execution themselves, and they did what they could for their less fortunate friends. Such minor pirates as were captured were often acquitted unfairly by the juries in Cornwall.⁸ There were repeated escapes from Dorchester. The Killigrews used their influence in Devon, and when Clinton Atkinson was in Exeter prison he was given the most favourable testimonials from the mayor of the city.⁹ There was considerable activity in Cornwall, and, though no local pirates of importance were taken, a negro and various Frenchmen were captured.¹⁰ In London of course the Killigrews could do nothing, though a whole company of pirates on their way to the Tower were able to escape in the woods about Cobham.¹¹ It was of course only the condition of the admiralty officials in outlying parts, who had never recovered from the demoralizing influence of Lord Seymour, that made all

¹ State Papers, Dom., Eliz., cxxiv, no. 16.

² Dictionary of National Biography, xxxix. 36.

³ This of course only applied to the regular captains. Interlopers were severely discouraged. Sir John Perrot imprisoned for two years without trial a young Scottish pirate, Alexander, son of Monane Hog (*Cal. of State Papers, Scottish*, ii. 74).

⁴ State Papers, Dom., Eliz., cxxiv, no. 28.

⁵ *Cal. of State Papers, Ireland, 1588-92*, p. 192.

⁶ *Acts of the Privy Council*, ix. 28.

⁷ *Hatfield Papers*, ix. 376.

⁸ *Acts of the Privy Council*, v. 362, vii. 207, and xvi. 13.

⁹ *Cal. of State Papers, Dom., 1547-80*, p. 687.

¹⁰ *Acts of the Privy Council*, vii. 320.

¹¹ *Ibid.* xiii. 188.

this possible. The last of his captains who had become regular pirates seem to have disappeared in the reign of Queen Mary, but the minor port officials of his period survived very much longer. The Channel ports alone were efficient. The vice-admiral of Essex victualled a very barbarous Scottish pirate in the Colne,¹ while the vice-admiral of Norfolk demanded £80 for intervening to save two Danish ships.² The servants of the lord admiral in Lincolnshire established a base at Ingoldmells.³

The admiralty had much to do with the continuance of this traffic of piracy, but they seem to have had little responsibility for its collapse. Apart from measures such as the local guards⁴ of 1581, which closed the eastern Dorset refuges to the pirates, the first serious decline in their prosperity was caused by the outbreak of the war with Spain. The loss of the Spanish trade considerably reduced the profits from the traffic, while the temporary naval concentration on Plymouth made the work much more dangerous. Besides there was always French competition, not only the official privateers like Espinay de Saint Luc,⁵ but also the less scrupulous rivalry of Captain Gargantuan.⁶ The custom of keeping armed retainers was dying out even in the remoter parts, so that the activities of Killigrew's men were thrown into prominence. At the same time the balance of wealth in the counties was changing. The Killigrews had conducted the piracy in too lavish a manner. It was the smaller men who made profits. Sir John Killigrew had died in debt for £10,000,⁷ and during fifteen years his son had still greater misfortune, for he tried too many experiments. His marriage paid off most of the debt;⁸ but later he became feverish, and besides rack-renting his tenants and robbing strangers by land and sea and indulging in casual wrecking, he seems to have obtained money from Spain. Also at this time he sold the provisions of Pendennis Castle.⁸ But the expense of maintaining armed guards and bribery at court exceeded the profits, for there were so many men who had the power to betray him. His failure for £20,000⁹ frightened the others. Sir Richard Rogers was dead and his sons had grown old, Perrot had died in prison, and Sir Edward Denny retired to his Hertfordshire property. It was owing to the personal character of the control of western piracy that it collapsed on these failures. With the decay of retainers the maintenance of private harbours became an impossible task, and the pirate ships returned to legitimate traffic.¹⁰ Besides the

¹ *Ibid.* xii. 351.

² *Ibid.* ix. 30.

³ *Ibid.* xi. 12.

⁴ *Ibid.* xiii. 272.

⁵ *Ibid.* xxvii. 142.

⁶ *Ibid.* vii. 392.

⁷ *Hatfield Papers*, xi. 376.

⁸ *Ibid.* v. 378.

⁹ *Ibid.* xi. 376.

¹⁰ The names of pirate ships in western waters were peaceful. The *Tiger*, *Dragon*, and *Sea Dragon* worked in the Mediterranean. Among the chief ships in the Channel

background had been a series of rather intimate friendships, but most of the second generation were elderly at the end of the century and their successors did not renew the former relations.

In 1559 all these families had been wealthy and on the side of the government. Their leaders were loyal, and in any case foreign ships suffered rather more than the English. They all had relations at court. Sir John Perrot was himself a favourite. The Dennys and Rogers had influence, and Sir Henry Killigrew, from motives of mere self-interest, would have done all in his power to preserve the house of Arwennecke.¹ At the end of the century most of these families were ruined, for Perrot and the Killigrews were suspected of treason and all had been extravagant gamblers. The commemorative feasts at Arwennecke and the great banquets for the admiralty servants² were ruinous, and had their sons wished to continue the piracy it would not have been possible. This traffic had only grown up and flourished under the shadow of powerful protectors. When these protectors were fallen and the corrupt officials exposed the piracy ceased. Its growth and success had been in part due to the abnormal stress of a period, when any crime less than treason seemed hardly worthy of punishment. The absence of violence and the purely commercial nature of the whole transaction at first helped their prosperity. So long as they could safeguard their harbours the working expenses were small. As soon as order was established in Cornwall it was necessary to bribe a whole country-side and there could be no profit.

DAVID MATHEW.

were *Mary Fortune* and *Mary Grace*. Others were the *Castle of Comfort*, *Edward Constance*, *Elizabeth of Chichester*, *Fortunatus*, *Neptune*, three *Dolphins*, *Prosperitie* (*Acts of the Privy Council*, ix, xviii, xxiii, and xxvii, and *Cal. of State Papers, Venetian*, ix. 547).

¹ *Dict. of Nat. Biog.* xxxi. 107.

² *Cal. of State Papers, Dom., Addenda*, 1566-79, p. 536.

The Anglo-Dutch Alliance of 1678

PART I

ON 14 November 1677¹ occurred the marriage of William of Orange and the Princess Mary. For at least seven years—since William's first visit to England—the marriage had been regarded by many as a desirable possibility. This was particularly true after the Anglo-Dutch peace of 1674. Two years later, James, duke of York, the heir to the English throne, openly acknowledged himself a catholic, and thereafter the nascent 'country party' looked more eagerly than ever to a protestant husband for the princess who might some day be queen of England. Sir William Temple and other English emissaries mentioned the matter several times to the prince of Orange, but without receiving a definite response. When on different occasions William himself suggested a visit to England, ostensibly for reasons relating to peace negotiations but undoubtedly also in order to discuss marriage, jealous-eyed French ambassadors were always sufficiently influential with Charles II to prevent his coming. In the autumn of 1677 there was an abrupt change. William was suddenly permitted to come to England, to negotiate a marriage treaty, and to secure Charles's consent to peace terms which were to be imposed upon France, even, if necessary, by a joint display of force.

Such was the temporarily successful culmination of a prolonged attempt on the part of William and his English friends to separate Charles II and Louis XIV. The peace of Westminster (1674) had deprived France of the open support and alliance of England, but it had not changed Charles II at heart. He still looked to Louis XIV for subsidies; he still permitted English troops to continue in French service; and his offers of mediation, while accepted, were nevertheless justly regarded by the enemies of France with considerable suspicion. Thus, during the years following 1674, William endeavoured not only to defeat France in the field, but also to convert England from a mediating neutral with French sympathies into an active ally. Success seemed finally to crown his efforts. It is the purpose of the following

¹ Dates, where given singly, are New Style.

study to trace the history of this Anglo-Dutch attempt to impose a peace upon France from its origin in November 1677 until the following September, when the treaty of Nymwegen was ratified.

The announcement of the marriage fell upon France with startling suddenness; and the newly-arrived ambassador, Barrillon, was not a little chagrined over his failure to prevent it. On 29 October York had assured him that no step in that direction would be taken until peace was concluded, and furthermore, that the marriage would never occur without French advice and consent.¹ Within twenty-four hours, though there was no peace, a marriage treaty had been arranged, while French advice and consent had not been sought.² For many years no step of such importance had been taken by the English court without French cognizance. The principal terms agreed upon by William of Orange and Charles II were as follows: France was to keep Franche-Comté, Aire, St. Omer, and Cambrai; Maestricht was to go to Holland; and the following towns—all of them in French possession—were to be returned to Spain: Charleroi, Ath, Oudenarde, Tournai, Courtrai, Valenciennes, and Condé.³ Considering the military situation at the time, no one could deny that France was asked to surrender a great deal.⁴ So far Charles's attempt at mediation, offered and instituted soon after the peace of Westminster, had scarcely risen to the stage of actual negotiations. The congress of Nymwegen had not formally opened until the spring of 1677, and even then the belligerents were more interested in the fortunes of war than of peace, until the close of the year's campaign.

The newly-arranged conditions of peace were first shown to Barrillon on 24 November (ten days after the marriage) in the room of Louise de Kéroualle, duchess of Portsmouth and the king's mistress, where many of the most important conversations between the king and French ambassadors were held. Barrillon at once pronounced the terms unreasonable, and declared that there was no possibility of Louis's accepting them. Charles as usual described (Barrillon said he exaggerated '*avec beaucoup*

¹ Barrillon to Louis, 30 October: Mignet, *Négociations relatives à la succession d'Espagne*, iv. 509.

² On 10 November Louis XIV wrote to Barrillon: '*les premiers avis qu'il avait eus de la conclusion de ce mariage étaient par les feux de joie qui s'en étaient allumés dans Londres*' (Mignet, *op. cit.* iv. 511-12). Danby is said to have asked Montagu, the English ambassador to France, how Louis XIV received the news of the marriage. '*As he would have done of the loss of an army*' (Manchester, *Court and Society from Elizabeth to Anne*, i. 278). Cf. Dalrymple, *Memoirs of Great Britain and Ireland* [1733], ii. 124; and *Hist. MSS. Comm., Fourteenth Report*, app. ix, p. 387.

³ Mignet, iv. 516 (Louis to Barrillon, 30 November); Brit. Mus., Add. MSS. 10115, fo. 103; 28093, fo. 231.

⁴ Barrillon to Louis, 9 December, in Archives des Affaires Étrangères, Angleterre, 125, fos. 303-11. Cf. Mignet, *op. cit.*, iv. 518.

de véhémence') his pitiful domestic situation, financial and otherwise; and he swore that it had been absolutely necessary for him to take the step in order to conciliate his anti-French subjects. The next day Barrillon argued the matter with York, but without encouragement;¹ and on 29 November he admitted to Louis XIV that it would be dangerous for Charles 'to resist indefinitely the desires of the entire nation, which wants nothing so ardently as war against France'.² In the relations of the king and York to Barrillon, there was indeed no lack of cordiality and good intentions, but rather a helplessness in the face of an anti-French wave of popular feeling, which was to some degree fostered by the lord high treasurer, Danby. York, with tears in his eyes, might still plead with Barrillon, and avow a desire for peace and friendship; but York did not rule England. Neither can it quite be said that Charles ruled England at this time, when Danby was at the zenith of his influence. In spite of an anti-French bias, this minister possessed certain qualities which commended him to the king. He was a staunch adherent of absolute monarchy; he had come to control parliament by a widespread system of bribery: and lastly, he was an able treasurer who brought some financial order out of chaos.

Sir William Temple was selected to bear the peace terms to Paris. He tried to excuse himself on the ground that the French would take umbrage at a proposal borne by one of such well-known Dutch sympathies,³ but the king urged him, and Temple prepared to go. Then at the last moment Charles changed his mind, and substituted Duras, earl of Feversham, whose French sympathies and relationship to Turenne recommended him for the mission. Under pretext of private business⁴ Feversham arrived in Paris on 28 November and made known the terms. Louis immediately rejected them, gave as his maximum concession the surrender of Maestricht and the exchange of three of the Spanish towns which he held, and intimated that the English king appeared more anxious about the security of Spanish than of French frontiers. Feversham's plea for peace on the ground of the intense English feeling against France was of no avail. It was clear to Louis XIV, however, that this feeling rested chiefly on the fear of French conquests in Flanders.⁵ He therefore

¹ Barrillon to Louis, 25 November, *ibid.* 125, fos. 251-68.

² Barrillon to Louis, 29 November, *ibid.* fo. 275. Cf. Barrillon to Louis, 16 December, *ibid.* fos. 342-60.

³ Temple, *Works* [1770], iv. 338. Cf. *ibid.* ii. 424; Trevor, *The Life and Times of William III* [1835-6], i. 149; Grovestins, *Histoire des luttes et rivalités politiques entre les puissances maritimes et la France* [1852-4], iii. 90.

⁴ But his real business was generally guessed. St. Hilaire, *Mémoires*, i. 280; *Hist. MSS. Comm.*, *Fourteenth Report*, app. ix, pp. 389-90.

⁵ Brit. Mus., Add. MS. 10115, fo. 101.

decided to offer a suspension of arms in the territory between the Meuse and the sea.¹ On 11 December (while the French army was capturing St. Ghislain) Feversham returned to England, and the next day he reported his failure to the committee for foreign affairs. The king at once resolved upon two things: first, to send Ralph Montagu (the regular English ambassador to France, but temporarily in London) to Paris to repeat and press the same demands; and secondly, to call parliament on 25 January instead of 14 April.² The latter step would add vigour to Montagu's demands.³ On 13 December these resolutions were announced to the privy council, as was also the king's intention 'to take measures with the prince of Orange in case France should refuse'.⁴ It is hardly to be supposed that Charles at this time expected his course would result in war. He would simply pursue the negotiation, but at the same time allow Danby to rattle the sword, a new sound in French ears, unheard since the Triple Alliance of 1668.

Montagu left England on 17 December, and after some delay in the Downs he repeated Feversham's efforts with similar results.⁵ Assurance of the failure of his embassy was not received in London until early in January, but Barrillon had never deceived Charles as to the inevitable outcome. Meanwhile, he pressed the French offer of a two months' suspension of arms, in the hope that the negotiations concerning it would postpone parliament.⁶ Charles finally promised to propose this truce to the allies, but he stood firmly against Barrillon's arguments for an Anglo-French league to enforce it,⁷ and as to the postponement

¹ Mignet, iv. 514-17 (Louis to Barrillon, 30 November); Grovestina, iii. 94-5.

² Barrillon to Louis, 13 December, in Archives des Affaires Étrangères, Angleterre, 125, fos. 314-36, partially printed in Mignet, *op. cit.* iv. 519-20. The proclamation regarding parliament was promulgated 7/17 December (*Cal. of State Papers, Dom.*, 1677-8, p. 497; *Bibliotheca Lindesiana*, v. 442; *London Gazette*, no. 1258).

³ It would also relieve the king of considerable responsibility for the protection of Flanders. See Williamson's notes, 6/16 December, in Brit. Mus., Add. MSS. 10115, fo. 101.

⁴ *Ibid.* 28093, fo. 214 (Williamson's notes). Cf. *ibid.* 28040, fo. 41, and Public Record Office, For. Entry Book, 180.

⁵ The best account of this embassy is in Montagu's letter of 29 December to Charles II, printed in *Hist. MSS. Comm.*, *Ninth Report*, ii. 453-4 (Morrison MSS.). Cf. Brit. Mus., Add. MS. 28040, fo. 43; Bodleian Library, Firth MSS., i. 12 (Hyde to Williamson, 31 December); and Brit. Mus., Add. MS. 17677 DD, fos. 171, 177 (transcripts of Beuningen's correspondence in the Hague archives).

⁶ *Ibid.* 28040, fo. 42; and Barrillon to Louis, 3 January, in Archives des Affaires Étrangères, Angleterre, 127, fo. 20. It was the current opinion that England would declare war upon France soon after the meeting of parliament. Letters from Holland to members of parliament were filled with anti-French propaganda and plans for the joint war (e. g. 'A Letter from a Gentleman in Holland' in Brit. Mus., Add. MS. 28092, fos. 9-14). For Beuningen's tone see *Hist. MSS. Comm.*, *Bath MSS.*, ii. [1907], 160-1.

⁷ For this negotiation see Barrillon's letters to Louis, 3, 6, 17, 20 January, in

of parliament Barrillon could effect nothing. None of the usual aids to Bourbon diplomacy was neglected. On 20 December Louis gave Barrillon power to offer Charles a large sum for deferring parliament, 'les moyens', so wrote the experienced French king, 'que je crois les plus capables de changer la résolution que vient de prendre le roi de la Grande-Bretagne'. Danby, also, was to be bribed by 'quelque grosse somme'.¹ At Paris a similar proposition was made to Montagu by Louvois. The money for the king was to be sent to England very secretly in the form of wedges of gold packed in bales of silk. Danby would receive diamonds and pearls in such fashion 'that nobody could ever know it'.² But the treasurer could not be bribed, and the king stood by the resolution which he had taken only under great pressure.³ By the close of December Barrillon had practically resigned himself to the assembling of parliament, and had begun to take measures with his henchmen in order to influence the session.⁴ Most Englishmen expected war as soon as parliament should meet,⁵ and York was commonly considered the most likely commander of English forces in Flanders.⁶

While Charles was failing to persuade Louis to accept the terms of peace, and Barrillon was failing to turn Charles from the error of his ways, steps were being taken with the Netherlands in preparation for the war which seemed imminent. On 14 December—the day after Charles announced his intentions to the privy council—Lawrence Hyde was ordered from Nymwegen to The Hague;⁷ and on the same day Atterbury left London with Hyde's instructions, chief of which was that he should see the

Archives des Affaires Étrangères, Angleterre, 127, fos. 29, 41, 74, 88; Louis to Barrillon, 4 January, in Mignet, iv. 524-7; Danby to Orange, 3/13, 8/18 January, in *Cal. of State Papers, Dom.*, 1677-8, pp. 526-7, 562-3; Archives des Affaires Étrangères, Hollande, 105, fo. 251; Brit. Mus., Add. MS. 17677 SSS, fos. 14-15.

Montagu thought that there was a strong desire for peace at Paris, and that France would yield to a truce when once convinced that England really intended to go to war (letter to Charles II, 5 January, in *Hist. MSS. Comm.*, *Ninth Report*, pt. ii, p. 454). Cf. St. Hilaire, *Mémoires*, i. 281.

¹ Mignet, iv. 521.

² Montagu to Charles II, 29 December, in *Hist. MSS. Comm.*, *Ninth Report*, pt. ii, pp. 453-4.

³ Van Beuningen's letter of 7 January in Brit. Mus., Add. MS. 17677 DD, fo. 188.

⁴ e. g. Lord Bellasis and Edward Coleman. See Barrillon to Louis, 27 December, in Archives des Affaires Étrangères, Angleterre, 125, fos. 386-91.

⁵ *Cal. of State Papers, Dom.*, 1677-8, pp. 520, 529, 556, 558, 572; *Hist. MSS. Comm.*, *Thirteenth Report*, pt. vi, p. 7; *ibid.* *Rutland MSS.*, ii. 44-5; Archives des Affaires Étrangères, Angleterre, 127, fo. 110. But popular assurance was soon to be weakened. Douglas's departure for Paris on a secret mission (really to recall English troops) raised certain suspicions as to the king's sincerity regarding the war (*ibid.* fo. 114), and the prorogation of parliament from 25 January to 7 February increased those suspicions considerably.

⁶ *Hist. MSS. Comm.*, *Rutland MSS.*, ii. 44-5; and Barrillon to Louis, 27 December, in Archives des Affaires Étrangères, Angleterre, 125, fo. 386.

⁷ Public Record Office, For. Entry Book, 66, pp. 284-5.

prince of Orange at once and 'let him know that if the States will ioyné with his Master to oblige Spaine, his Majesty will ioyné with them to oblige France to accept the conditions'. This was not to be communicated to the states general. For the present Charles would accept the prince's word as sufficient.¹

Hyde was at The Hague by 17 December, and Atterbury arrived the following day. William, after considering Hyde's proposals for two days, accepted them, and (in Secretary Williamson's words) 'answered for the States absolutely', but said 'that it must be an infinite secret from the Confederates and even from the States as yet'.² On 24 December Atterbury was back in London; and the next day the privy council drafted the terms of an alliance.³ It was a league to enforce peace upon France and Spain, England being particularly responsible for the former, and the states for the latter. With great propriety Sir William Temple was asked to bear the project to Holland and form the alliance. But, friend of the Dutch as he was, Temple was out of sympathy with the plan of allying with the states alone instead of forming a general alliance comparable to his great achievement of 1668.⁴ He therefore excused himself on the pretence of private business. Perhaps the desire to hear from Montagu before completing the alliance explains a part of the ensuing delay. It was not until 3 January that Henry Thynne bore instructions to Hyde⁵ to negotiate the alliance with all speed, so that ratifications would be complete by 25 January, the day for the meeting of parliament—'that the King may be able with truth and clearness to tell the Parliament he hath made a treaty for the preservation of Flanders, which is the foundation all the King's businesse at this time in the Parliament

¹ Williamson to Hyde, 4 December, in Bodleian Library, Firth MSS., i, fos. 2-5, and Williamson's note in Brit. Mus., Add. MS. 28040, fo. 41 b.

² *Ibid.*

³ *Ibid.* 10115, fos. 114-19. Various proposals and drafts, considered at this meeting, are found *ibid.* fos. 110-32. Only the king, treasurer, chancellor, and the two secretaries of state, Williamson and Coventry, were present. The territorial clauses of these terms did not differ from those previously agreed upon except in the addition of St. Ghislain (recently taken by the French) to the list of towns to be returned to Spain. William had pressed Hyde for the inclusion of Lille and Douai (Hyde to Williamson, 21 December, in Bodleian Library, Firth MSS., i, pp. 6-9), as he had in November; but Charles again refused his sanction.

⁴ Temple, *Memoirs* [1693], p. 304; Courtenay, *Memoirs of the Life, Works, and Correspondence of Sir William Temple* [1836], i. 508; Trevor, *op. cit.* i. 152. Illness may have contributed to his refusal to go (*Hist. MSS. Comm., Fourteenth Report*, app. ix, p. 393).

⁵ On 21 December Hyde had been given permission to return to Nymwegen (Brit. Mus., Add. MS. 10115, fo. 106), but he had decided to remain at The Hague until a reply was received (Hyde to Williamson, 28 December, in Bodleian Library, Firth MSS., i, fo. 11). For Hyde's instructions and powers see *ibid.* pp. 12-16; Bodleian Library, Rawlinson MS. A. 255, fos. 236-9; Brit. Mus. Add. MS. 10115, fo. 157.

must rest upon'.¹ Following Atterbury's departure Orange had sounded Spain about the peace terms and had found her favourable.² He then let some of the chief Dutch officials into the secret,³ and soon after Thynne's arrival with the English draft the treaty was signed with a few alterations (10 January).⁴ Thynne left at once for England, but, long delayed by bad weather, he did not arrive until 18 January, one week before the projected meeting of parliament.⁵ Had the treaty been found fully satisfactory, parliament would probably have assembled at the appointed time.⁶ But at the meeting of the committee for foreign affairs on 19 January exception was taken to some of the alterations which Hyde had permitted, with the result that Atterbury was immediately sent back to The Hague to have the treaty 'all signed over againe'.⁷ Since this could scarcely be completed by the 25th, Charles prorogued parliament to 7 February. In the meantime the treaty was re-signed on 26 January, and five days later it was again before the committee. Though it was not exactly as Charles had specified, he was content to order it to be ratified at once.⁸ But through Hyde's failure to send a copy of the Dutch deputies' powers,⁹ there was further delay; not until 24 February was the

¹ Williamson to Hyde, 1/11 January, in Brit. Mus., Add. MS. 10115, fo. 187. Cf. *ibid.* 28040, fo. 42; and Danby to Orange, 24 December/3 January, in *Cal. of State Papers, Dom.*, 1677-8, pp. 526-7.

² Dyckvelt consulted the duke of Villa Hermosa, governor of the Spanish Netherlands; and Beverning discussed the matter with the Spanish plenipotentiaries at Nymwegen (Brit. Mus., Add. MS. 28093, fo. 214 b).

³ L. Hyde to H. Hyde, 4/14 January, in Singer, *Correspondence of Henry Hyde, Earl of Clarendon, and of his brother, Lawrence Hyde, Earl of Rochester* [1828], i. 3-5.

⁴ The treaty is in Public Record Office, Treaties, no. 317. It is printed in Dumont, *Corps Universel Diplomatique*, vii. i. 341-2; and in Vast, *Les grands traités du règne de Louis XIV*, ii. 53-62. It was signed by Hyde and nine 'deputies of secret affairs' (Archives des Affaires Étrangères, Hollande, 105, fo. 244; cf. Grovestins, *op. cit.* iii. 108, n.) for the United Provinces, headed by Fagel, Grand Pensionary of the state of Holland. These deputies simply gave their word that the states general would accept the treaty. The variations from the English draft are to be seen in Brit. Mus., Add. MS. 10115, fos. 159-63, 178-83. The only important change was in expanding Article VIII into three separate articles in order to treat France and Spain in different clauses. Orange's assurance of Spain's acquiescence led Hyde to make the alteration by which Article IX regarding Spain was much softened in tone compared to Article VIII upon France.

⁵ Brit. Mus., Add. MS. 28040, fo. 45.

⁶ But Charles's negotiations with Spain over the cession of Ostend (*infra*, p. 362) as a military base were proceeding miserably, and this certainly contributed to a postponement of the session (*Hist. MSS. Comm.*, Third Report, p. 195).

⁷ Brit. Mus., Add. MS. 28040, fo. 45. The proposed change related chiefly to Article IX, wherein it increased considerably the states' responsibility in case Spain should refuse to accept the terms.

⁸ *Ibid.* fo. 46.

⁹ In Public Record Office, Treaties, no. 318; and Brit. Mus., Add. MS. 10115, fos. 195-9. William of Orange and the war party were meeting opposition on several sides. There was a strong peace movement, especially in the commercial people of

English ratification actually sent to Holland, and the states ratified a week later.¹ Thus came into existence the Anglo-Dutch offensive alliance to enforce certain terms of peace, chiefly upon France.

The delays were to prove costly, but the negotiations had at least culminated in a treaty. Less successful, however, was an unfortunate attempt to negotiate a permanent defensive alliance, operative chiefly after peace should be made, but immediately useful to mollify Parliament's suspicions of the king's sincerity.² While England and the Netherlands were no longer the deadly commercial rivals of the sixties, there were still too many points of radical disagreement between them to expect such a negotiation to proceed smoothly. When Atterbury left for The Hague on 19 January he bore powers for Hyde regarding this permanent defensive alliance;³ and on 27 January—the day after the offensive alliance was finally signed—Hyde presented the matter to the states.⁴ It was soon manifest that, however much the Dutch felt the need of England in war, they were unwilling to sacrifice much to maintain the alliance in peace. Throughout February the negotiations dragged on, Pensionary Fagel putting off the importunate ambassador from week to week. Orange apologized to Danby for the delay and explained (undoubtedly from the heart): 'Il y a de certaines formalités en des Républiques que l'on ne peut changer, et qui sont pourtant fort ridicules.'⁵ On 1 March Fagel finally admitted that the states would not agree to the terms proposed, and that Beuningen would be empowered to negotiate the necessary changes in London. These concerned the naval salute, equality of forces in case of joint war, and reciprocal assistance against rebellious subjects in exile.⁶ Beuningen soon presented a proposal dealing with these points, and on 12 March, at a meeting of the com-

Amsterdam. Moreover, the allies of Holland were taking exception to her secret negotiations with England, which, in their opinion, pointed more towards a separate peace than to a new ally for war. From 20 to 23 January an allied military council met at The Hague (Archives des Affaires Étrangères, Hollande, 105, fos. 246–51), and there was not a little bitter feeling over Holland's refusal to reveal the exact terms of the Anglo-Dutch alliance (Meredith to Williamson, 21 January, in Public Record Office, State Papers, For., Holland, 206, fos. 27–8. Roger Meredith was English correspondent at The Hague, and later secretary to the embassy there).

¹ Public Record Office, Treaties, no. 319. There were two separate articles and two Dutch declarations, these last being accepted by England on 15 March (Brit. Mus., Add. MS. 28040, fo. 50).

² Danby to Orange, 8/18 January, in *Cal. of State Papers, Dom.*, 1677–8, p. 563.

³ Brit. Mus., Add. MS. 10115, fos. 189–90. Cf. Beuningen's letters of 11 and 18 January, *ibid.* 17677 SSS, fos. 8–18.

⁴ *Ibid.* 28040, fo. 46.

⁵ Letter of 18 February in *Hist. MSS. Comm.*, *Ninth Report*, pt. ii, p. 455. See also van den Bosch to Estrades, 18 February, quoted in Mignet, iv. 546–7.

⁶ Brit. Mus., Add. MS. 28040, fos. 48–9; Mignet, iv. 547.

mittee for foreign affairs, an agreement was reached. The next day the defensive treaty was signed, even though the Dutch ambassador's powers were defective; and Godolphin bore it back to The Hague for ratification.¹ Again the article on mutual assistance against rebels gave trouble. 'Unless it be left out', wrote Meredith, 'it is thought it will not be ratified, every province apprehending that upon some occasion or other they may hereafter be interpreted rebels and England employed to subdue them.'² The result was a ratification by the states on 7 April,³ but in an amended form which never received English sanction.⁴ For by that time parliament, at French instigation, had developed a carping attitude towards the Dutch treaties and the war; allied naval and military co-operation was proceeding miserably; Spain and the peace party in the Netherlands were opposing further strife; Charles and Danby were asking for French subsidies as the price of their neutrality; France was launching new peace proposals; and in the midst of allied discord and distrust peace was more thought of than war.

The relations between king and parliament had long been such as to preclude harmony and efficient administration. Charles was ordinarily being paid by Louis XIV to rule without parliament because it was anti-French in spirit. Half of the members were bribed by Danby to do his bidding, though some of the others were ready at any time to accept French money to oust him. It was not a wholesome atmosphere, and what happened in the spring of 1678 surprised no one accustomed to breathing it. Long before parliament assembled there were disquieting rumours which manifested distrust of the king's sincerity. 'Tis but noyse to get monnies,' declared one regarding the talk of war and the calling of parliament.⁵ And among those who were actually zealous for war there was so much distrust and dislike of Danby that some proposed the appointment of a financial committee of both houses to supervise the spending

¹ For the treaty see Public Record Office, Treaties, no. 320. Copies are in Archives des Affaires Étrangères, Hollande, 105, fos. 268-71; Brit. Mus., Add. MS. 28093, fos. 217-21; and Public Record Office, Treaty Papers, no. 49 (cf. *Hist. MSS. Comm., Tenth Report*, app. i, pp. 201-2, and *Ninth Report*, pt. ii, p. 112). Williamson stated that the treaty was signed 'even upon the very draught given by the states to Lord Chamberlain in '74' (Brit. Mus., Add. MS. 28040, fo. 50).

² Meredith to William, 22 March, in Public Record Office, State Papers, For., Holland, 206, fo. 191.

³ Public Record Office, Treaties, no. 321. Cf. Grovestins, iii. 130.

⁴ See 'Amendments to be made in the States' ratification of the defensive treaty, April 2nd [o.s.] 1678' in Public Record Office, Treaty Papers, no. 49.

⁵ *Hist. MSS. Comm., Rutland MSS.*, ii. 42 (21/31 December). Cf. Barrillon's statement of 20 December in Archives des Affaires Étrangères, Angleterre, 125, fo. 373, and of 24 January in *ibid.* 127, fo. 127. Beuningen urged the king to stop current rumours that the war preparations were for use at home as well as in France (Brit. Mus., Add. MS. 17677 SSS, fo. 65).

of the war grants,¹ which was one step further than the auditing committee of 1667² in parliamentary invasion of the royal prerogative.

Charles told Barrillon that the two weeks' prorogation in late January was in order to give more time to negotiate a truce.³ The ambassador undoubtedly understood the real reason—the incomplete state of the Dutch alliance⁴—but he also thought that the postponement was agreeable to Danby, who thereby gained time 'pour redoubler ses cabales et essayer de gagner plus de gens qu'il n'en a'.⁵ Whether or not it was agreeable to Danby, it was so to Barrillon; for it aroused questionings in the minds of many Englishmen,⁶ it disappointed the Dutch and undoubtedly added to their suspicions of Charles's sincerity,⁷ it gave Barrillon more time to strengthen his cabals in parliament, and it put off the evil day for at least two weeks.⁸ To assist Barrillon in influencing votes in Parliament there arrived at London on 24 January Henri de Ruvigny, later earl of Galway, and son of the marquis de Ruvigny who had recently been French ambassador in England.⁹ Barrillon's catholicism and nearness to the French king rendered it difficult for him to approach the leading member of the opposition party in parliament. Ruvigny, a protestant, unrelated to the court, and already well known to influential parliamentary malcontents,¹⁰ would fill the need. 'You have sent me', wrote Barrillon on 27 January, 'a man

¹ Barrillon to Louis, 17, 24, and 27 January, in Archives des Affaires Étrangères, Angleterre, 127, fos. 75, 128, 140.

² Lodge, *Political History of England from 1660 to 1702*, pp. 78, 82.

³ On 23 January (Archives des Affaires Étrangères, Angleterre, 127, fo. 118). Leaving the theatre three evenings before, Charles told Barrillon that there was no possibility of postponing parliament for fear of a revolt (*ibid.* fo. 87). Barrillon wrote that he thought Charles was still expecting a larger offer of money than hitherto made (*ibid.* fo. 136). But this is doubtful. I think that for once Charles was actually frightened, and turned his back on French subsidies, large or small.

⁴ Brit. Mus., Add. MS. 28040, fo. 45 b (Williamson's notes); Mignet, *op. cit.* iv. 529. Cf. Reresby, *Memoirs*, p. 125.

⁵ Barrillon to Louis, 24 January, in Archives des Affaires Étrangères, Angleterre, 127, fo. 128.

⁶ Archives des Affaires Étrangères, Angleterre, 127, fo. 155; *Hist. MSS. Comm., Rutland MSS.*, ii. 45–6.

⁷ Meredith to Williamson, 1 February, in Public Record Office, State Papers, For., Holland, 206, fo. 38.

⁸ During that time Barrillon continued his attempts—directly, and through the duchess of Portsmouth—to persuade Charles to a further prorogation (Archives des Affaires Étrangères, Angleterre, 127, fos. 118, 125, 168), and on 2 February Louis offered a truce during the month on condition that parliament should not meet (Mignet, iv. 530).

⁹ Barrillon to Pomponne, 24 January, in Archives des Affaires Étrangères, Angleterre, 127, fo. 136.

¹⁰ Particularly Lords Holles and Russell, to the latter of whom he was closely related. He was no amateur at his task. His father had used him to influence votes in earlier parliaments (Ruvigny to Louis, 9 December 1675, in *ibid.* 117, fo. 109).

who will be a great help to me—who is very discreet and intelligent and knows this country well. We shall do our best.’¹ Ruvigny saw Lords Holles and Russell soon after his arrival; then, hearing that Montagu had informed Danby of his real business,² he stopped visiting them for some time in order to disarm suspicion.³ His conduct was a model of discretion, and even if Charles had desired to banish him from the country, as Montagu advised, there would scarcely have been grounds for this step. Nevertheless his work was effective, and continued so during the succeeding months.

While Ruvigny was to influence parliament, Barrillon, so explained Montagu, ‘would treat always with the king in an honest manner’.⁴ He seems never to have given up the idea that Charles was at heart actually for peace, and that he would win through him rather than through parliament.⁵ Buckingham (temporarily out of royal favour and ever hostile to Danby) tried to persuade Barrillon to direct all efforts to parliament and turn against the court as hopelessly resigned to the war.⁶ This Barrillon refused to do. But while continuing to negotiate with the king and Danby he supplemented Ruvigny’s influence in parliament with well-distributed financial persuasion. Buckingham’s influence among members of the opposition party was so great, through their mutual hatred of Danby, that he proved of much use to Barrillon in this work. Through the hands of Buckingham’s ex-secretary, Sir Ellis Leighton, the notorious Edward Coleman, and one Barker, considerable sums were distributed to members.⁷ But Barrillon had a worthy antagonist in Danby. Not satisfied with his years of effort in building up a parliamentary machine on a foundation of bribery so well known that the name ‘pension parliament’ had come into general use, Danby borrowed £60,000 of London bankers late in January as a further means of gaining votes.⁸ The result was an extremely even struggle for several months between the party of Danby and the opposition, fostered by Ruvigny’s propaganda and Barrillon’s money.

¹ *Ibid.* 127, fo. 153. On 28 March Barrillon wrote that Ruvigny was of great utility among his father’s friends, ‘et les autres Protestants qui se fient à lui à cause de sa religion’ (*ibid.* 128, fo. 168). Cf. letter of 17 March, *ibid.* fos. 111–12.

² In a letter of 21 January (*ibid.* fo. 115). Pomponne informed Barrillon two days later that the secret of Ruvigny’s mission was out (Mignet, iv. 533).

³ Archives des Affaires Étrangères, Angleterre, 127, fos. 171, 218.

⁴ Montagu to Danby, 21 January, *ibid.* fo. 115 (copy).

⁵ *Ibid.* fos. 215–218.

⁶ e.g. letter of 19 February in *ibid.* fo. 275. There were indeed times when Barrillon wavered in his attitude, particularly about 26 March. See *ibid.* 128, fos. 157–8.

⁷ Barrillon’s report of his secret expenses, September 1677 to 11 July 1678, in *ibid.* 130, fos. 67–8.

⁸ Archives des Affaires Étrangères, Angleterre, 127, fo. 252.

After listening to the king's speech, parliament immediately discussed extravagant proposals regarding the conduct and purpose of the war. All trade with France was to be cut off, and the Dutch were to take similar action. No peace was to be made until France was reduced to the boundaries of 1659. This was so impossible an expectation that Charles at once accused Barrillon of bribing parliament to such steps, in order to render co-operation with the war-worn Dutch more difficult.¹ There were other strings of possible discord, and Barrillon touched them all. For example, in January Charles had ordered the recall of English regiments which had remained in French service.² Barrillon carefully fostered a suspicion among some parliamentary malcontents that this was only a means by which the king would have troops at his disposal in England.³ The old fear of a standing army showed its usual potency. Moreover, friends of William of Orange weakened in their allegiance as they saw him hand in hand with the hated Danby as well as with the distrusted king. The generally desired alliance with the Dutch lost much of its pleasant savour through having been brought about by a distrusted minister whose fall many desired.⁴ To the great satisfaction of Barrillon hostility towards Danby began to loom larger than hostility towards France.⁵

Early in the session Lords Russell, Holles, and Buckingham assured Ruvigny that they were influential enough to prevent a war-grant.⁶ But they had underestimated Danby's strength. Late in February a military appropriation was voted by the commons, and Barrillon had to admit that 'la cabale du Grand

¹ Barrillon to Louis, 9 February, in *ibid.* fo. 219. Cf. York to Orange, 1/11 February, in *Cal. of State Papers, Dom.*, 1677-8, p. 620. Meredith's letter from The Hague, 15 February, stated that while parliament's war enthusiasm pleased the Dutch, it went 'further than many here would willingly be engaged' (Public Record Office, State Papers, For., Holland, 206, fo. 52). For the commons' address to the king, see *Commons' Journals*, ix. 430, or Cobbett, *Parliamentary History*, iv. 907-8.

² See Temple, ii. 250; and Mignet, iv. 269-70 (Ruvigny to Louis, 22 February 1674). Douglas left England on 20 January 1678, with the general order of recall (Archives des Affaires Étrangères, Angleterre, 127, fos. 110, 114), but Monmouth's regiment of horse had been ordered home a few days before, on the pretence of disorders in Scotland (Danby to Orange, 8/18 January, in *Cal. of State Papers, Dom.*, 1677-8, pp. 562-3). Charles explained to Barrillon that it was necessary for him to take this step before parliament compelled him to it, in order that he should not lose the credit for it. He urged Barrillon to explain to Louis that it was in no sense a prelude to war, but only 'pour ne se pas discréditer entièrement parmi ses sujets' (Archives des Affaires Étrangères, Angleterre, 127, fos. 119-25, 186), and Barrillon did so, apparently with all sincerity (*ibid.* fos. 152-3).

³ Cf. *supra*, p. 357, n. 5.

⁴ Ranke, *History of England principally in the Seventeenth Century*, iv. 45; Christie, *Shaftesbury*, ii. 276; and Barrillon to Louis, 9 May, in Archives des Affaires Étrangères, Angleterre, 129, fos. 51-2.

⁵ 'Si les affaires ne changent demain, elles ne peuvent estre en meilleur estat' (Barrillon to Louis, 9 February, *ibid.* 127, fos. 219-21).

⁶ Barrillon to Louis, 10 and 14 February, *ibid.* fos. 235, 252.

Trésorier paroist supérieure'.¹ But Barrillon's party, though a minority by a slight margin, contained many of the most influential members;² and the treasurer, though temporarily victorious, was by no means sure of the outcome. 'Il ne me parla pas hier [8 March]', wrote Barrillon, 'avec la hauteur qu'ont les Anglois quand ils ne craignent rien.'³ The commons seemed bent unswervingly upon war, but there was great opposition in the lords, where delay, if not ultimate prevention, might be hoped for. To atone for Lord Holles's growing indifference Ruvigny discovered a new ally in Shaftesbury, whom hatred of Danby now drove into French arms.⁴ Barrillon redoubled his 'récompenses effectives' both in the commons and lords, now not so much on condition of preventing a grant of money as heretofore, but of preventing the war.⁵ Through Ruvigny he now tried to enlist Lord Russell's assistance in the work of corruption, but he misjudged his man. Russell refused to name members who might be susceptible to French bribes; and, furthermore, he began to voice suspicions which it was necessary to silence if his allegiance were to be maintained.⁶ Like many Englishmen Russell at times feared a secret understanding between Charles II and Louis XIV whereby war was to be declared and then peace made as soon as the former had possessed himself of troops and money. Ruvigny denied it vigorously, declared candidly that France was spending much money in England in trying to prevent the war, and for weeks his and Barrillon's best efforts were exerted in assuring friends of France that there was no secret conspiracy between the two monarchs against English liberties.⁷ The rumour was dispelled sufficiently to hold the party together, and during the following months Barrillon's group continued to hinder the work of parliament at every turn. Levies were impeded, negotiations with the allies

¹ Barrillon to Louis, 17 February, *ibid.* fo. 258. Cf. *Commons' Journals*, ix. 435; and Cobbett, iv. 942.

² Barrillon to Louis, 3 March, in Archives des Affaires Étrangères, Angleterre, 128, fo. 20.

³ *Ibid.* 126, fos. 50-1; and letter of 19 February, *ibid.* fo. 276.

⁴ *Ibid.* 128, fos. 87, 89, 111, 215. He had been released from the Tower early in March, after having been visited there frequently by Lord Russell (Christie, ii. 265, 279; Dalrymple, ii. 131; Singer, i. 6-7).

⁵ Barrillon to Louis, 24 February, in Archives des Affaires Étrangères, Angleterre, 127, fo. 284. Many times Barrillon desired to get rid of parliament and trust to the court in spite of the anti-French Danby and the now militant York. On 28 March he wrote: 'Si je pouvais faire proroguer le Parlement je croirois avoir fait davantage que d'avoir signé un traité.' But he well realized that prorogation could hardly be expected except in the final extremity. 'Pour dire la vérité le Roy d'Angleterre hasarderait une révolte générale de tous ses sujets' (*ibid.* 128, fo. 170). It is also to be noted that Barrillon never despised the amount of England's possible aid to the Dutch (*ibid.* fo. 215).

⁶ Barrillon's memoir of 14 March as to Ruvigny's work, in *ibid.* fos. 87-90.

⁷ *Ibid.* fos. 88, 167, 215, 280, 304.

were criticized and delayed, and finally the religious question—the usual *bête noire* of parliamentary peace—was introduced in anti-catholic bills which accentuated divisions in both houses, took interest and energy from more urgent matters, and mollified considerably the warlike zeal of the duke of York. He had recently become one of the most enthusiastic promoters of war, and along with Danby he was in constant correspondence with his son-in-law, the prince of Orange.¹ He thought it strange that marrying his daughter to a protestant had not allayed for all time parliament's fear that a catholic might some day ascend the throne of England.²

During these months steps towards military and naval co-operation between England and the allies had been proceeding, but in the face of obstacles. On 14 December the privy council drafted tentative proposals, among which was the temporary cession of Ostend to England as a base of operations in Flanders.³ Borgomanero, the Spanish ambassador in London, was approached upon the subject, but disclaimed the possession of any powers; and during the weeks that followed he apparently made no attempt to obtain such.⁴ Conferences continued between Williamson and Beuningen, but the question of Ostend dragged for over a month. On 20 January, five days before parliament was to meet, Charles asked Borgomanero pointedly whether he had power to put Ostend in English hands. He had not. The king then asked if 1,200 English soldiers might be placed there pending negotiations as to the transfer of the town. 'At first he seemed to consent', but appearing 'not very confident of his powers',⁵ Charles grew disgusted at the delay and sent Godolphin to procure permission direct from the duke of Villa Hermosa, governor of the Spanish Netherlands.⁶ Although it was Ostend that was in the most imminent danger, the Spanish governor, fearing that England's occupation of Ostend might not be temporary, gave permission for English troops only at Nieupoort and Dixmude.⁷ Thereupon, Charles enlisted the

¹ See their letters in *Cal. of State Papers, Dom.*, 1677-8, and 1678; Grovestins, iv. 17-45; Dalrymple, ii. 144-55, 171-92.

² Cf. Barrillon's statement in Archives des Affaires Étrangères, Angleterre, 128, fo. 162. Parliament would have been no less aroused against York had it known that the Jesuit congregational had met in his apartments at St. James's Palace on 4 May 1678 (Pollock, p. 152; Reresby, p. 325).

³ *Hist. MSS. Comm., Fourth Report*, p. 232.

⁴ On 2 February Williamson states that Borgomanero received a 'pretended answer' to his [pretended ?] request of three weeks before (*Brit. Mus., Add. MS. 28040*, fo. 46).

⁵ 'Coventry's [Henry Coventry, secretary of state] 'Narrative of Negotiations with the Dutch', *ibid.* 32095, fos. 83 f.

⁶ *Hist. MSS. Comm., Fourth Report*, p. 232.

⁷ Archives des Affaires Étrangères, Hollande, 106, fo. 72; *ibid.*, Angleterre, 127, fo. 175. See also Danby to Orange, 23 January/2 February, in *Cal. of State Papers, Dom.*, 1677-8, p. 592; and Lonchay, *La rivalité de la France et de l'Espagne aux Pays-Bas, 1635-1700* [1896], p. 284.

influence of William of Orange with partially satisfactory results.¹ Through a mission of Dyckvelt, William came to an agreement with the Spanish governor whereby 2,000 English would be received in Ostend, although the town was not to be surrendered to them.² Charles, undoubtedly, would have accepted this arrangement had it not been for Borgomanero's continued opposition, which rendered its execution uncertain. At any rate, Godolphin was again sent to Brussels (23 February) to repeat his endeavours.³ Not his arguments, however, but military pressure was to untie the knot. About 19 February Charles and York had promised Barrillon that no troops would be sent to Flanders until a reply was received to the peace proposal borne by Ruvigny; and 10 March was the time limit set for this reply. But Danby had at the same time secretly warned Barrillon of the impossibility of restraining parliament if any places in Flanders were attacked within that time. Barrillon avoided a direct reply, but suggested that the capture of some important place might promote peace sentiment in the states. Barrillon's letters show that he was trying to retard (if he was not able to prevent) an act of war on the part of France, but he was at the same time seeking to prepare Danby for the French offensive which he undoubtedly knew was coming early in March.⁴ On 4 March a great French army was before Ghent. The Spanish garrison at Ostend was of unquestionable loyalty, Holland was in confusion, and Pensionary Fagel appealed to England for instant aid.⁵ Borgomanero saw the crisis, agreed to Villa Hermosa's plan on the evening of 7 March;⁶ and the next morning Lord Howard of Escrick hastened to Ostend with 800 men and promise of more to follow.⁷

¹ Brit. Mus., Add. MS. 28093, fos. 214-15; *ibid.* 28040, fo. 46; Public Record Office, For. Entry Books, 180, Minutes of Committee on Foreign Affairs for 23 January/2 February. Danby's frequent letters to William (particularly 8 and 23 January [o.s.], in *Cal. of State Papers, Dom.*, 1677-8, pp. 562, 592. Cf. *Hist. MSS. Comm., Ninth Report*, pt. ii, p. 455; *Copies and Extracts of some Letters written to and from the Earl of Danby* [1710], pp. 188-91) kept him closely informed on the situation.

² Brit. Mus., Add. MS. 28040, fo. 48; *Hist. MSS. Comm., Ninth Report*, pt. ii, pp. 454-5 (Orange to Danby, 25 January and 18 February [O.S.]). The Marquis de la Fuente's vain attempt to go to England early in February may have been related to negotiations regarding Ostend (Archives des Affaires Étrangères, Angleterre, 127, fos. 42, 80, 226. Cf. *Cal. of Treas. Books*, v. ii. 1081; *Recueil des Instructions données aux ambassadeurs et ministres de France*, xi (Spain, i), 514-16.

³ Brit. Mus., Add. MS. 28040, fo. 48; Danby to Orange, 8/18 February, in *Cal. of State Papers, Dom.*, 1677-8, p. 636.

⁴ See his letter of 19 February, *ibid.* 127, fos. 273-5.

⁵ Brit. Mus., Add. MS. 28093, fo. 215; Public Record Office, State Papers, For., France, 142, fos. 270-1 (letter of 5 March from Paris).

⁶ Williamson notes that Borgomanero would not agree to it even after the news from Ghent 'till in a manner threatened to it' (Brit. Mus., Add. MS. 28040, fo. 50).

⁷ See Barrillon to Louis, 9 March (Archives des Affaires Étrangères, Angleterre,

Meanwhile, the English government had not been inactive in plans and preparations for war on land and sea.¹ New regiments were enlisted, and old ones were brought up to war strength.² Arsenalns were stocked, stores of provisions ordered, and steps taken for the defence of Ireland and the Channel Islands.³ By 7 April the French ambassador, of whose close watch on English preparations we are assured, reported that Charles had 15,000 new levies on foot besides the regulars already at Ostend and Bruges.⁴ Nevertheless, the situation was anything but encouraging. The controversy over Ostend had aroused hatred towards Spain;⁵ parliament was suspicious of the ultimate purpose of the new enlistments;⁶ there were collisions between civilians and soldiers at Salisbury and Oxford;⁷ and the troops in Flanders

128, fos. 39-47), in which he relates Charles's attempt to minimize the significance and importance of this expedition.

Ghent was taken on 9 March. The French then threatened Bruges, causing the Spanish to weaken the defences of Ypres, which was thereupon invested on 13 March and taken 25 March (Rousset, *Histoire de Louvois*, ii. 484-94; Ségur, *Maréchal de Luxembourg et le Prince d'Orange*, 1668-78, ii. 471). See also Charles's letters to Villa Hermosa and to the governors of Ostend and Bruges in Bodleian Library, Rawlinson MS. A. 268, fos. 32-3 b. Lord Howard of Escrik was ordered to obey Diego Spinoza, the governor of Ostend, 'conformément à ce qui a esté convenu' (*ibid.*). See also *Documentos ineditos*, xcv. 39 ('Memoria de los accidentes mas notables sucedidos en la guerra passada de 1675-8 durante el gobierno del duque de Villa Hermosa').

¹ For Williamson's notes on meetings of the privy council and on conferences with Beuningen as to the conduct of the war, see Brit. Mus., Add. MS. 10115, fos. 1-84 (from 20 December 1677 to 20 March 1678), and *Cal. of State Papers, Dom.*, 1677-8, pp. 516-17. See also Brisbane's letter from Paris to Danby, 31 December, in *Hist. MSS. Comm.*, *Fourteenth Report*, app. ix, pp. 391-2, and Temple's suggestions (letter to Danby, 3/13 January, after obeying the treasurer's instructions to get van Beuningen's terms of possible co-operation 'in case of a war', in *ibid.* p. 393). The earl of Ossory's mission to William of Orange late in January (*Cal. of State Papers, Dom.*, 1677-8, pp. 569, 590, 596) was supposed to be for purposes of military co-operation, he being considered the most likely commander of English troops in William's army in case of war (Archives des Affaires Étrangères, Angleterre, 127, fo. 70; *ibid.*, Hollande, 105, fo. 243; Public Record Office, State Papers, For., Holland, 206, fo. 31). But his chief task seems to have been to assure William that France would not yield to peace, and that war was inevitable (Danby to Orange, 8/18 January, in *Cal. of State Papers, Dom.*, 1677-8, pp. 562-3).

² See especially Barrillon's memoir on the English preparations in Archives des Affaires Étrangères, Angleterre, 127, fos. 233-44; and his letter to Pomponne, 17 March, *ibid.* 128, fos. 110-13.

³ Brit. Mus., Add. MS. 10115, fos. 1, 21; Archives des Affaires Étrangères, Angleterre, 127, fo. 32.

⁴ *Ibid.* 128, fos. 199-209; *ibid.* 130, fos. 67-8. As to numbers in the English army cf. Clarke, *Life of James II*, i. 512; Imbert-Terry, *A Misjudged Monarch* [1917], p. 246.

⁵ Barrillon to Louis, 7 February, in Archives des Affaires Étrangères, Angleterre, 127, fos. 192-214. See also Shaftesbury's 'The Present State of the Kingdom at the Opening of the Parliament, March 6, 1679', quoted in Christie, *op. cit.*, ii. 281.

⁶ Barrillon to Louis, 21 March, in Archives des Affaires Étrangères, Angleterre, 128, fo. 121.

⁷ *Ibid.* fo. 223; *Hist. MSS. Comm.*, *Egmont MSS.*, ii. 71; *ibid.*, *Le Fleming MSS.*, p. 145.

were discouraged by inaction and their uncertain status.¹ Early in April Churchill was sent to Holland to adjust matters of rank, co-operation, transport, and provisioning,² and although he did succeed in signing a military convention with Orange on 3 May³ the report he made upon his return dwelt chiefly on the miserable state of the English and Spanish soldiers and on the general desire for peace.⁴

On 19 January naval proposals, drafted three weeks before, were sent to Hyde. At the same time the states were urged to send some one to London empowered to work out the details of the co-operation between the two fleets.⁵ The same republican formalities which were hindering the negotiation of the defensive alliance, together with the machinations of the peace party,⁶ delayed the appointment, but William was finally able to send Admiral Evertsen with limited powers. On 27 February Evertsen presented a careful statement in which he accepted many of the English proposals, but he refused England's demand for Dutch assistance in the Channel as long as the states bore the whole burden of patrolling the North Sea.⁷ Conferences followed in which this was the chief point of difference.⁸ Finally on 27 March Evertsen restated his arguments, conceding nothing;⁹ and England's formal reply a week later showed a deadlock on this

¹ Monmouth's letter of 10 March in Brit. Mus., Add. MS. 17677 SSS, fo. 59; Colonel Littleton's letter of 28 May in *Hatton Corresp.*, i. 161-2; Barrillon to Pomponne, 9 March, in Archives des Affaires Étrangères, Angleterre, 126, fos. 55-6.

² *Cal. of State Papers, Dom.*, 1678, pp. 90, 95. See his original instructions in Brit. Mus., Add. MS. 10115, fos. 248-50; and in Bodleian Library, Rawlinson MS. A. 255, fos. 254-6.

³ Public Record Office, Treaty Papers, 49; *Hist. MSS. Comm.*, *Ninth Report*, pt. ii, p. 455 (Orange to Danby, 3 May); *Journal van C. Huygens, den zoon, gedurende de veldtochten der Jaren 1673, 1676, 1677 en 1678* [1881], pp. 247, 248, 252. York was named commander-in-chief of both the English and Dutch armies, with William second in command. Hyde was empowered to sign the agreement along with Churchill (Brit. Mus., Add. MS. 10115, fos. 307, 309; Bodleian Library, Rawlinson MS. A. 255, fos. 252-53), but apparently did not. Churchill's powers also extended to the naval agreement which had never been signed.

⁴ Churchill received later instructions (17 April, Brit. Mus., Add. MS. 10115, fo. 269; *Cal. of State Papers, Dom.*, 1678, p. 101) to appeal to William for more troops at Bruges, where Monmouth's garrison was being threatened by the French and receiving none of the support promised by Spain. See also Public Record Office, State Papers, For., Holland, 206, fos. 94, 199; Archives des Affaires Étrangères, Angleterre, 129, fo. 52 (Barrillon to Louis, 9 May); *Cal. of State Papers, Dom.*, 1678, p. 134; *Hist. MSS. Comm.*, *Le Fleming MSS.*, p. 144.

⁵ Brit. Mus., Add. MS. 10115, fo. 191 (cf. fo. 31); *ibid.* 28040, fo. 45; *Cal. of State Papers, Dom.*, 1677-8, pp. 562-3 (Danby to Orange, 8/18 January).

⁶ See especially Orange to Danby, 25 February, in *Hist. MSS. Comm.*, *Ninth Report*, pt. ii, p. 455; Barrillon to Pomponne, 3 March, in Archives des Affaires Étrangères, Angleterre, 128, fos. 26-7; and letters from Amsterdam in Public Record Office, State Papers, For., Holland, 206, fos. 146, 200, 212.

⁷ Brit. Mus., Add. MS. 10115, fos. 205-6.

⁸ *Ibid.* fos. 66-7; *ibid.* 28040, fo. 54.

⁹ *Ibid.* 10115, fos. 212-13.

point.¹ In regard to all else, however, and particularly as to the conjunction of the English and Dutch squadrons in the Mediterranean, an agreement was reached (4 April).² Then came the unexpected news that the French fleet had retired from Messina. Spain's zeal for the naval war subsided at once, and her continuation of a subsidy to the Dutch Mediterranean fleet was uncertain.³ Co-operation in the Channel had never reached an agreement; co-operation in the Mediterranean was now disconcerted by the French action, and attempts to lay new plans of naval concert were lost in delay, distrust, and negotiations of peace.⁴

English troops were no sooner in Flanders than Charles sought to form a quadruple alliance of the enemies of France—England, Spain, the Empire, and the Netherlands.⁵ There was as yet no declaration of war on the part of England, neither did the king propose that there should be such until definite treaties of alliance ensured him against being left alone at war with France. On 12 March the committee for foreign affairs, after coming to an agreement with Beuningen on the defensive treaty, questioned him as to his powers to sign a general alliance and found them of doubtful adequacy.⁶ He appeared, however, extremely zealous for the general alliance, and he urged that his temporary lack of powers (the dispatch of which he would, presumably, do all in his power to hasten) should not delay the negotiations.⁷ It

¹ Brit. Mus., Add. MS. 10115, fos. 207–11.

² *Ibid.* fos. 215–19.

³ Williamson to Hyde, 12/22 April, in *ibid.* fo. 273; Beuningen to the states general, 11 April, in *ibid.* 17677 SSS, fo. 81.

The French withdrawal from Messina had been ordered on 1 January 1678, as soon as the union of England and the allies seemed imminent (Mignet, *op. cit.* iv. 536–7; Lavissee, *Histoire de France*, vii, pt. ii, p. 340; Cordey, *Correspondance du Maréchal de Vivonne relative à l'expédition de Messine* [1920], ii, *passim*). But things had been going badly, and it might have occurred in any case (Martin, *History of France*, vii. 458). Williamson would have been happier if it had occurred a little later, as 'it could have looked more as the effect of the terror we give France, &c.' (*Cal. of State Papers, Dom.*, 1677–8, p. 538). Hyde was instructed to say that it might 'reasonably be looked upon as the effect of our appearing everywhere so heartily in the cause' (Brit. Mus., Add. MS. 10115, fo. 239 b), which was, I think, a part of the truth.

⁴ *Ibid.* fos. 238–43; *Cal. of State Papers, Dom.*, 1678, pp. 146–7. On 1 May Hyde was empowered to sign a naval concert 'which is yett wholly uncared for' (Brit. Mus., Add. MS. 10115, fo. 302).

⁵ Beuningen's letter of 1/11 March, in Brit. Mus., Add. MS. 17677 SSS, fos. 57–8.

⁶ Brit. Mus., Add. MS. 28040, fo. 50; Public Record Office, For. Entry Books, 66, pp. 294–6.

⁷ See particularly his memoir of 3/13 March, in Public Record Office, State Papers, For., Holland, 206, fo. 76; and his letter to Williamson, 7 April [n.s.], in Brit. Mus., Add. MS. 10115, fo. 201. Cf. Barrillon to Louis, 13 March, in Archives des Affaires Étrangères, Angleterre, 128, fos. 75–6.

Charles lent his assistance in sending Godolphin to Holland on 15 March to encourage the Dutch, demoralized over the loss of Ghent, and also to urge the sending of these powers, which would ensure the fullest allied assistance (Brit. Mus., Add. MS. 28040, fo. 50).

was therefore with great surprise that at the first meeting of the representatives of the four states on 5 April,¹ it was disclosed that Beuningen was still without powers, and knew neither when nor whether they would arrive.² Suspicions of intentional delay and bad faith arose at once, fostered naturally by the watchful Barrillon.³ If all had been known England would have incurred her full share of the suspicion, for on the day before this meeting Danby had asked Barrillon for 18,000,000 *livres tournois* as the price of English neutrality. The king, having expected to be able to show the alliance to parliament when it met on 7 April (which would improve the price of England's neutrality on the French market), postponed the session for two weeks, and instructed Hyde to bring all possible pressure upon the states to empower their ambassador adequately within that time.⁴ The representatives of the four states assembled again on 11 April, to Beuningen's great embarrassment, for he alone appeared to be preventing an alliance which he had most urged. From two later meetings (16 and 19 April) he excused himself.⁵ Meanwhile, as 21 April approached—the day for the reassembling of parliament—Charles grew desperate. Twice he took Beuningen to task, and, according to Williamson, 'schooled' him thoroughly for his failure to secure powers.⁶ At last they arrived, and on 21 April the four allies assembled.⁷

¹ Essex, Falconbridge, and Bridgewater were appointed the English representatives on 31 March (Bodleian Library, Rawlinson MS. A. 255, fos. 203-4).

² Brit. Mus., Add. MS. 10115, fos. 236-7; *Cal. of State Papers, Dom., 1678*, pp. 78-9; Barrillon to Louis, 11 April, in Archives des Affaires Étrangères, Angleterre, 128, fos. 213-14. For a brief account of this entire negotiation, see Coventry's 'Narrative' in Brit. Mus., Add. MS. 32095, fo. 83, and Williamson's notes in *ibid.* 28040, fos. 52-4.

³ *Ibid.* 10115, fos. 236, 238; *ibid.* 17677 DD, fo. 265; Barrillon to Louis, 14 April, in Archives des Affaires Étrangères, Angleterre, 128, fo. 230. A confidant of Borgomanero was friendly to Barrillon and kept him informed of the allied conferences (*ibid.* 129, fo. 29).

⁴ Atterbury was sent to Hyde on 8 April (Public Record Office, State Papers, For., Holland, 206, fo. 10), bearing instructions for the latter, and a letter from Charles II to the states general (Brit. Mus., Add. MS. 17677 SSS, fos. 74-5). Williamson's sketchy note, added to the minutes of the instructions sent to Hyde, explains the real purpose of this letter, and somewhat increases distrust of English sincerity in the whole negotiation (*Cal. of State Papers, Dom., 1678*, p. 79). Later letters to Hyde continued to press the urgency of the matter (12 and 15 April, in Brit. Mus., Add. MS. 10115, fos. 244, 267).

⁵ *Ibid.* 28040, fo. 55; Public Record Office, For. Entry Books, 66, under proper dates. On 19 April Williamson wrote to Hyde: 'The two other ministers have had much ado to forbear falling upon the States for their strange carriage in this matter of the Powers' (Brit. Mus., Add. MS. 10115, fos. 271-2).

⁶ *Ibid.* 28040, fos. 54-5; Public Record Office, For. Entry Books, 180, under dates 7 and 8 April [O.S.].

⁷ They were sent by ordinary post on 15 April (Public Record Office, State Papers, For., Holland, 206, fo. 117). The peace party, now in control at The Hague, was careful to arrange that the powers travelled slowly, even after seeing to it that they should be useless after their arrival. Meredith at The Hague was made to believe that the powers had been sent earlier (*ibid.* fos. 94, 96, 104, 117).

But to the chagrin of all, not the least Beuningen, he found himself still helpless through lack of instructions to use the powers received. There was general upbraiding of the states for deliberately preventing the alliance, and even the personal sincerity of their ambassador was questioned.¹ The Dutch peace party had obviously scored a great victory, and for the reason that they were at that time considering new peace propositions made by France the week before.

There was another point of disagreement which furthered English suspicions even more. In early drafts of plans for the war, prohibition of French trade had been urged by Beuningen and sanctioned by England.² Late in March parliament passed the necessary legislation and expected early Dutch concurrence therein.³ But the peace party, represented particularly by the commercial classes of Amsterdam, was strong enough to prevent such a costly step on the part of the states.⁴ Dutch opposition following Beuningen's proposal of the measure looked especially suspicious during the embarrassing time when he held up negotiations through lack of powers on that subject as well as on that of the quadruple alliance.⁵

After the disappointing meeting of the allies on 21 April, Charles tried to persuade Borgomanero and Wallenstein (the imperial envoy) to make the alliance temporarily without

¹ Williamson says that Beuningen 'infinitely exposed himself to the wonder and indignation of everybody' (Brit. Mus., Add. MS. 28040, fo. 55). See also Public Record Office, For. Entry Books, 180, date 11 April [O.S.]; Williamson to Hyde, 16/26 April, in Brit. Mus., Add. MS. 10115, fo. 275; Danby to Orange, 16/26 April, in *Cal. of State Papers, Dom., 1678*, pp. 118-19, and in Danby, *Copies and Extracts* [1710], pp. 217-19 (the draft of it is in Brit. Mus., Add. MS. 28054, fos. 174-5); *ibid.* 17677 SSS, fos. 85-91. Beuningen's secret correspondence (*ibid.*, *passim*) tends to show that he was doing his best to secure powers. See also his letter to Pensionary Fagel, 9/19 April, in Grovestins, *op. cit.* iv. 28-31.

² *Hist. MSS. Comm., Fourteenth Report*, app. ix, p. 393; *Cal. of State Papers, Dom., 1677-8*, pp. 608-9.

³ The Poll Bill, signed by the king, 30 March, provided for the war £600,000 of the previously promised million and prohibited importation of most French goods (*Lords' Journals*, xiii. 176-7, 189; Christie, *op. cit.* i. 267, 289; Macpherson, *Annals of Commerce*, ii. 593; *Cal. of State Papers, Dom., 1678*, p. 79). The king and court at once, as on previous occasions during the reign (in 1665, *ibid.*, 1665-6, p. 31; and in 1675, *ibid.*, 1676-7, p. 19. Cf. North, *Examen*, p. 461; and *Hist. MSS. Comm., Le Fleming MSS.*, p. 125), began to set the example of boycotting French goods and fashions (*ibid.* p. 143).

⁴ Friesland, Rotterdam, and Overijssel agreed to it after delay (Meredith's letters in Public Record Office, State Papers, For., Holland, 206, fos. 134, 140, 153, 177), but Amsterdam imposed difficult conditions and opposed it staunchly (*ibid.* fos. 142, 144, 153). It is significant that Pensionary Fagel, who was not in favour of peace, never thought it possible to get the states' consent to this step. Beuningen told Williamson on 18 April that it could never be enforced (Public Record Office, For. Entry Books, 180, date 8/18 April).

⁵ *Cal. of State Papers, Dom., 1678*, p. 79; Barrillon's letters, 21, 25 April, in Archives des Affaires Étrangères, Angleterre, 128, fos. 268, 281.

Holland on the basis of the Anglo-Dutch alliance.¹ They refused to subscribe definitely, but on 23 April they promised (so the English understood)² to sign an alliance which should endure until 'a reasonable peace' might be obtained, such 'reasonable peace' to be defined in a separate secret article as one based on the terms of the Anglo-Dutch alliance.³ Again Charles was encouraged. The Dutch might still be brought into such an alliance if only their ambassador were given instructions. Hyde was ordered to plead with Fagel, and Godolphin was again sent to urge Orange to use his influence.⁴ Meanwhile the form of the triple (and perhaps, later, quadruple) alliance was drawn up by the committee for foreign affairs;⁵ and on the afternoon of 30 April it was presented to the Spanish and imperial envoys. Thereupon, in Williamson's words,

they immediately flew off and denied to have concerted to agree in a secret article that the conditions of the peace as now they stand in our treaty with Holland should be declared a reasonable peace in the sense of the open treaty, and so all flew off, infinitely surprised on our part.⁶

Charles continued his endeavours for a few days, but in vain.⁷ Spain would not act without Holland, and the latter was engrossed in new peace proposals emanating from Paris. By 1 May, the time for military alliances was obviously past. The atmosphere of separate peace negotiations, mutual distrust, and suspicion, which enveloped this whole proceeding, will easily explain its failure.

In the first place, peace proposals had never ceased to emanate from London, and many Englishmen never actually believed that war was certain, even with English troops in Flanders.⁸

¹ They had met together twice theretofore without Beuningen, who now urged them to proceed alone until the instructions, which he expected daily, should arrive (Brit. Mus., Add. MS. 28040, fo. 55; *ibid.* 10115, fo. 299).

² Borgomanero was later said to have promised for both, Wallenstein simply having spoken 'little strangely and in no sort disagreeing' (Williamson to Hyde 21 April [O.S.], in *ibid.* fos. 299-302).

³ Public Record Office, For. Entry Books, 180, dates 13 and 15 April [O.S.].

⁴ See their instructions in Brit. Mus., Add. MS. 10115, fos. 275-80; and in Bodleian Library, Rawlinson MS. A. 255, fos. 248-52. Cf. Brit. Mus., Add. MS. 28040, fos. 55-6.

⁵ *Ibid.* fo. 57; Public Record Office, For. Entry Books, 180, dates 17 and 19 April [O.S.]. There is a draft of (perhaps) this treaty in *Hist. MSS. Comm., Eleventh Report*, app. vii, p. 19.

⁶ Public Record Office, For. Entry Books, 180, dates 18 and 20 April [O.S.]. Villa Hermosa and many of the Spaniards had not been averse to peace negotiations from the moment of Louis's proposals (Lonchay, p. 285).

⁷ Public Record Office, For. Entry Books, 180, date 21 April [O.S.]. See also Williamson to Hyde, 21 April [O.S.], in Brit. Mus., Add. MS. 10115, fo. 299; and the additional instructions to Hyde and Godolphin of 1/11 May, in *ibid.* fo. 305.

⁸ *Cal. of State Papers, Dom., 1678*, pp. 14, 65, 171; Singer, i. 5-6 (Danby to Hyde, 8/18 February); *Hist. MSS. Comm., Welbeck Abbey MSS.*, iii. 359. But cf. *ibid.*, Rutland MSS., ii. 50.

Late in February Charles had persuaded Ruvigny to go to France with the offer of Charlemont in addition to the towns previously named.¹ Louis XIV, commanding his great army before Ghent and flushed with the prospect of military glory, was in no condition to listen sympathetically to Ruvigny's proposal.² Soon came the capture of Ghent and Ypres (9 and 25 March), important places which France could not be expected to surrender without substantial compensation. When only Ghent had fallen, Godolphin was hurried to William's camp to urge the cession of Valenciennes, Tournai, and perhaps also Condé, for its return.³ Before he arrived Ypres had fallen, and the retention of that important city at once became the corner-stone of all later French negotiation. Orange was now willing to yield Valenciennes and Tournai, but not Condé; and as for Ypres, he would not even discuss it.⁴ The success of the French campaign had wrecked all hope of direct negotiations with William; and the French king, knowing the stuff of which the prince was made, realized it. But William's position might be assailed by two forms of indirect attack. Ever since his marriage the prince had been counting much upon English support: ⁵ and Louis never underestimated the dangerous possibilities in that alliance.⁶ If he could buy off Charles II, as he had done frequently, William's position would be decidedly weakened. Moreover, the peace party in the states, strong and ever growing stronger with its springs at Amsterdam fed by secret French agents, provided every facility for undermining him at home.

¹ *Cal. of State Papers, Dom.*, 1677-8, p. 640; Mignet, iv. 536. The purpose of the mission was divulged only to Barrillon, York, and Danby (Archives des Affaires Étrangères, Angleterre, 127, fo. 275). The French ambassador gave Charles no encouragement as to the outcome of the mission, which, however, was not unwelcome to France since the English king promised to postpone any declaration or act of war until Ruvigny's return (*ibid.* fos. 249, 273; Danby to Orange, 9/19 February, in *Cal. of State Papers, Dom.*, 1677-8, pp. 639-40, and in Danby, *Copies and Extracts*, pp. 197-9). That would give France just time enough to get her campaign under way, a chance seen by Louvois, who was jubilant over Ruvigny's mission (Rousset, ii. 487). Orange's disgust at Charles for talking of peace instead of preparing for war is seen in a letter of 5 March to Danby in *Hist. MSS. Comm.*, Hodgkin MSS., pp. 65-6.

² Mignet, iv. 539.

³ See his instructions of 4/14 March in Bodleian Library, Rawlinson MS. A. 256, fos. 240-3.

⁴ See particularly 'A narrative of the discourse that passed between his Highness the Prince of Orange and me in his quarter at Boome the 17/27 of March, 1677/8' (by Godolphin), in Brit. Mus., Add. MS. 10115, fos. 203-4; and William to Danby, 27 March, in *Hist. MSS. Comm.*, Ninth Report, pt. ii, p. 455. For the later negotiations, centring about Ypres, see Barrillon to Louis, 17 March, in Archives des Affaires Étrangères, Angleterre, 128, fos. 91-100 (partly printed in Mignet, *op. cit.* iv. 542), and also fos. 117, 186. William offered finally to yield Condé if Ypres were surrendered (Mignet, iv. 544).

⁵ See Estrades to Pomponne, 15 April, on the former's opinion of the uselessness of dealing with William except through England, in Archives des Affaires Étrangères, Hollande, 106, f. 183.

⁶ e. g. *ibid.*, Angleterre, 128, fo. 215.

Barrillon had tried to bribe Charles and Danby in January and February and had failed. Thereafter for a time, France sought to prevent the Anglo-Dutch alliance by proposing a truce, and failing in that, by controlling an opposition party in parliament. When subsidies were next mentioned England spoke first. Late in February, Charles sent Ruvigny to the French camp with a peace proposal and the suggestion that, were it accepted, he would be glad to renew his Bourbon alliance for a cash subsidy of £600,000.¹ Louis rejected the peace proposal, but promised in general terms to satisfy Charles's financial needs after peace was made.² From the time of Ruvigny's return (10 March) Barrillon seems to have counted on paying Charles 6,000,000 *livres tournois* (about £500,000);³ and ten days later he received definite powers to offer that amount to be paid in six, and perhaps even in four years. He was also provided with 300,000 *livres tournois* 'pour déterminer le grand trésorier'.⁴ For several days Barrillon could not persuade Charles to run the risk of dismissing parliament.⁵ Meanwhile he did not reveal his exact offer,⁶ but sought in vain to persuade Louis to pay the entire amount in one year instead of several.⁷ Danby as usual was driving a hard bargain, incited thereto somewhat by Montagu's boast of what he could do at Paris in the way of subsidies. On 29 March Barrillon was told that 6,000,000 *livres tournois* were insufficient 'pour mettre le roi son maître en état de se passer longtemps de son parlement';⁸ and a few days later (4 April) Danby set the king's price at three times the amount offered, namely 6,000,000 *livres tournois* each year for three years.⁹ Barrillon complained to Charles of Danby's

¹ Barrillon to Louis, 17 and 19 February, cited by Mignet, *op. cit.* iv. 536.

² *Ibid.* p. 571. Cf. Barrillon's earlier (19 February) general statement of this, in Archives des Affaires Étrangères, Angleterre, 127, fo. 277.

³ Barrillon to Louis, 13 March, in *ibid.* fo. 77. A later letter proves that Barrillon was not as yet making definite promises (17 March, *ibid.* fos. 107-8).

⁴ Barrillon to Louis, 20 March, quoted by Mignet, *op. cit.* iv. 571. He did not use the money, however (Barrillon to Louis, 12 May, in Archives des Affaires Étrangères, Angleterre, 129, fo. 77).

⁵ Barrillon to Louis, 26 March, in *ibid.* 128, fo. 149.

⁶ 'Si j'avais déclaré que le terme seroit de quatre ans, je jetterais une defiance dans l'esprit du Grand Trésorier capable de tout rompre' (*ibid.* fo. 171).

⁷ Barrillon to Pomponne, 28 March, in *ibid.* fo. 173. The time was soon reduced, however, from four to three years (Louis to Barrillon, 31 March, cited by Mignet, *op. cit.* iv. 571; but cf. Barrillon to Pomponne, 19 May, in Archives des Affaires Étrangères, Angleterre, 129, fo. 113, in which it appears that the time was not reduced to three years until 9 April).

⁸ Barrillon to Louis, 31 March, in *ibid.* 128, fos. 175-9.

⁹ Barrillon to Louis, 4 April, in *ibid.* fos. 190-1. The same day Danby instructed Montagu to negotiate for that amount at Paris: the fatal letter which was to cause Danby's disgrace as a result of Montagu's publication in the following November (*Hist. MSS. Comm.*, *Hodgkin MSS.*, pp. 194-6; Archives des Affaires Étrangères, Angleterre, 132, fos. 36-42 [copy]).

extortionate demand, and the well-instructed king replied that such an amount was necessary to prevent 'une révolution pareille à celle qui avait perdu le roi son père',¹ an argument often used with French ambassadors. But Danby had overstepped his mark, perhaps intentionally. In spite of parliament's ill temper and desultory support, the treasurer was at that time anxious for war, and he may have persuaded Charles to demand so large an amount in the hope that it would be rejected. At any rate, Barrillon refused the demand, the negotiation dropped, and nothing more was heard therefrom until the middle of May, when the king, despairing of retaining allies for the war, hastened to capitalize his neutrality while it was still of value to France.

It is thus not surprising that allied endeavour, whether in the field or in negotiation, foundered in suspicion and distrust. Long after English troops were in Flanders, the king was assuring Barrillon almost daily that he never intended to go to war but only to hasten negotiations.² Parliament feared that Charles had an ulterior motive in assembling an army, and suspected a French understanding.³ Wallenstein still talked freely against Holland for allying with England without the emperor's knowledge.⁴ Amsterdam suggested that William's intimacy with Charles and James made him a potential member of a monarchist plot.⁵ London merchants believed that the Netherlands urged prohibition of French trade upon England in order to increase their own commerce, refusing to take similar action themselves.⁶ A court revolution at Madrid rendered uncertain all negotiations with Spain, and justified the hesitancy and suspicion with which others regarded her word.

CLYDE LECLARE GROSE.

(To be continued.)

¹ Archives des Affaires Étrangères, Angleterre, 128, fos. 186-94.

² See e. g. *ibid.* fo. 166 (Barrillon to Louis, 28 March), *et passim*. Barrillon thought that York was more determined about the war most of the time than his brother or Danby. 'Il s' imagine encore que la rupture avec la France diminuera beaucoup de l'animosité qu'on [i. e. the parliament] a contre luy' (7 April, *ibid.* fo. 201). York's pitiful attempt to stand by his protestant son-in-law is seen in his correspondence.

³ Archives des Affaires Étrangères, Angleterre, 128, fo. 193.

⁴ Public Record Office, For. Entry Books, 180, date 9 April [O.S.].

⁵ See, e. g., *Hist. MSS. Comm., Thirteenth Report*, app. vi, p. 9; *Josselin's Diary* (Camden Series), p. 173; *Hatton Correspondence* (Camden Series), i. 162; Barrillon's letters to Louis, 27 June, 4 July, in Archives des Affaires Étrangères, Angleterre, 129, fo. 268, and 130, fo. 22; Grovestins, iii. 93-4; Klopp, *Der Fall des Hauses Stuart*, ii. 78; Wagenaar, *Vaderlandsche historie*, xiv. 468. Various letters from Amsterdam manifest the opposition there (Public Record Office, State Papers, For., Holland, 206, fos. 146, 200-1, 212). Louis XIV was naturally ever ready to foster suspicions of William's designs against Dutch liberties (*ibid.* fo. 245).

⁶ *Cal. of State Papers, Dom.*, 1678, p. 79; *Hist. MSS. Comm., Rutland MSS.*, ii. 49; Archives des Affaires Étrangères, Angleterre, 128, fos. 268, 281.

Richard Belgrave Hoppner

THOUGH, as a recent biographer of John Hoppner has observed, all his sons did well in their several spheres,¹ and despite the fact that one of them is honoured with inclusion in the *Nouvelle Biographie Générale*,² the writer of the article on the painter in the *Dictionary of National Biography*,³ while mentioning his marriage, entirely ignores the existence of his family. A certain amount of biographical information has been assembled in *Notes and Queries*⁴ and in Messrs. McKay and Roberts's recent work,⁵ and this bears largely on the career of the second son, Richard Belgrave Hoppner, artist, translator, friend of Byron, and diplomatist, to whom also Lord Ernle devotes a long footnote in his edition of the poet's correspondence.⁶ As, however, the combined result is somewhat lacking in detail, the following account of the diplomatic career of this interesting man, derived as it is from a source that does not appear hitherto to have been employed for this purpose—the archives of the foreign office—may contribute further to the store of accessible information relative to his life and work that we possess.

Hoppner was born on 9 January 1786.⁷ Owing to his parents' rapidly increasing family he was 'sent to school 20 miles from home at the early age of 4 years. . . . At 14 years of age I was sent to Germany to learn the language, and almost immediately on my return home I entered the Foreign Office',⁸ his clerkship dating from 1 February 1801, when he was but fifteen years old.⁹ This post he retained until 1814, his knowledge of Spanish

¹ H. P. K. Skipton, *John Hoppner* (London, 1905), p. 163.

² Henry Parkyns, the youngest (xxv. 131).

³ Cosmo Monkhouse. The volume in question (xxvii) appeared in 1891.

⁴ 4th series, xi. 505–6 (1873); 7th series, viii. 507 (1889), ix. 35–6, x. 230 (1890); 10th series, x. 417 (1908).

⁵ W. McKay and W. Roberts, *John Hoppner, R.A.* (London, 1909–14), [1] xxii–xxiii. 127. Even this attempt ignores the most important period of the second son's career, the Portuguese mission.

⁶ *The Works of Lord Byron* (London, 1898–1904), *Letters and Journals*, iv. 83–4 n.

⁷ McKay and Roberts, [1] xxiii.

⁸ From an undated letter to his niece, Mrs. Cromarty, cited in the latter's notes on her grandfather, the painter (Brit. Mus., Add. MS. 38510, fos. 265–6).

⁹ Public Record Office, F.O. 7/178, Hoppner to Canning, Vevey, 27 December 1823. In 1822 he refers to 'the 23 [*sic*] years I have been in the service of Government'

having, however, in the meantime led to his employment as private secretary to J. H. Frere during the latter's mission to Spain 'and as public secretary to the Commission appointed in 1811 to mediate between that country and her Colonies'.¹ His profession was not ill chosen: '... [he] had an amazing talent for languages', records his niece. 'He used to declare that any fool could learn a foreign language in six weeks.'² He then left England for the Netherlands to act as secretary to Clancarty, the newly appointed ambassador to the restored house of Orange:³ 'as you may perhaps recollect', he tells Planta in 1823, 'at only 24 hours notice.' He was not to return for nearly ten years.⁴ The first letter that we have of his from The Hague is of 19 January 1814. On 2 February he describes himself as 'doing y^e duty of Consul General here until Sir James Gambier's arrival' and speaks of 'my Vice Consuls',⁵ and he it evidently is who is referred to by Stralen, the commissary-general for the interior, as 'Mr. le Secretaire de Votre Excellence'.⁶ When Clancarty accompanied the prince of Orange on the latter's sudden journey to Paris in May, he left Hoppner—in Gordon's absence—in charge of the embassy's correspondence with England.⁷

Hoppner had already in January applied through Hamilton to Castlereagh for the consulship at Naples.⁸ In May he refers to 'the hopes your Lordship led me to entertain by the Offer of the Consulship at Lisbon', and asks to be considered for any similar situation in France or Italy:⁹ the prospect of succeeding at Lisbon on the first vacancy remained with him at Venice¹⁰ until the summer of 1822, when, on Consul-General Jeffery's death,¹¹ another nomination¹² was made.

Clancarty he followed to the congress of Vienna 'as Secretary', and in October 1814 he was appointed consul-general 'to

(F.O. 7/173, Hoppner to Londonderry, Private, Venice, 28 May 1822). Mrs. Cromarty describes him as 'Deputy Precis Writer at the Foreign Office' (Add. MS. 38510, fo. 267).

¹ F.O. 7/178, *loc. cit.*

² Add. MS. 38510, *loc. cit.*

³ F.O. 7/178, *loc. cit.*

⁴ *Ibid.* Hoppner to J. Planta, jr., Ferney, 16 July 1823.

⁵ F.O. 37/72, Hoppner to [W. R. Hamilton], The Hague, 2 February 1814.

⁶ F.O. 238/1, H. van Stralen to Clancarty, The Hague, 16 January 1814.

⁷ F.O. 37/70, Clancarty to Castlereagh, no. 91, The Hague, 20 May 1814. The Hon. Robert Gordon was secretary of embassy at The Hague (F.O. 37/71, Castlereagh to Gordon, no. 1 (draft), Foreign Office, 30 November 1813).

⁸ 'A post or two back' (F.O. 37/72, *loc. cit.*).

⁹ *Ibid.* Hoppner to Castlereagh, The Hague, 10 May 1814.

¹⁰ F.O. 7/178, Hoppner to Canning, Vevey, 27 December 1823.

¹¹ On 18 May 1822 (F.O. 63/251, E. M. Ward to Londonderry, Separate, Lisbon, 19 May 1822; F.O. 63/253, J. T. Crawford to Lord Clanwilliam, Lisbon, 19 May 1822).

¹² Of James Robert Matthews, whose commission was dated 1 August (F.O. 83/1219, pp. 251-2).

the Austrian states'.¹ His commission as 'consul general at Venice and for the Austrian Ports in the Adriatick' was, however, not transmitted to him until February 1815, the covering instructions enjoining him to leave for his new post whenever he could be spared.² Clancarty wished to utilize his services until the conclusion of affairs,³ but in consequence of 'a violent bilious attack' he had to dispense with them. Hoppner left Vienna on 29 March and reached Venice on the 5th of the following month.⁴

Ill-health, indeed, was to dog his footsteps throughout his tenure of office, and eventually to force a premature retirement. On arrival at Venice 'I unfortunately met with a relapse which for some time endangered my life'.⁵ 'A very severe indisposition', he tells Hamilton on 15 November 1816, 'the effect of this climate on my debilitated constitution', has prevented an earlier reply. 'The unhealthy atmosphere of Venice arising from the foul state of its Canals, the Sirocco, and the total want of exercise so necessary to my health, and of which I am absolutely deprived here, render my residence in Venice very irksome to me.'⁶ When, in 1821, after ten years of neglect, the authorities did actually commence to scour the waterways, the unspeakable effluvium had serious results not only on his own but also on his wife's health: 'as divers circumstances compelled me', he adds, 'to remain the whole of last summer in Venice, where as you are aware, every kind of exercise is altogether out of the question, I feel the want of a little motion, as the best remedy I know against the bilious attacks to which I am so unfortunately subject.'⁷ His insistence on the lack of exercise involved in a residence in the city may have helped in part to account for the delight with which he recalled for Moore those rides with Byron on the Lido.⁸

The consul-general's efforts to escape to a healthier clime can hardly, at this indifferent distance of time, fail to provoke a smile. In 1816 he asked Hamilton to intercede for him in the event of

¹ F.O. 7/178, Hoppner to Canning, Vevey, 27 December 1823; *Foreign Office List*, 1873, p. 202; *London Gazette*, 1814, p. 2037 (where he is described as 'consul at Venice, and the Austrian territories in the Adriatic Sea').

² F.O. 7/121, [Bathurst] to Hoppner, no. 1 (draft), Foreign Office, 23 [24 ?] February 1815.

³ *Ibid.* Hoppner to Castlereagh, [no. 1], Vienna, 10 March 1815.

⁴ F.O. 7/178, Hoppner to Canning, Vevey, 27 December 1823; F.O. 7/121, Hoppner to Castlereagh, no. 2, Venice, 7 April 1815.

⁵ F.O. 7/178, Hoppner to Canning, Vevey, 27 December 1823.

⁶ F.O. 7/130, Hoppner to Hamilton, Private, Venice, 15 November 1816.

⁷ F.O. 7/165, Hoppner to Planta, Private, Venice, 7 April 1821. '... And we will be bilious together' (Byron to Hoppner, [La Mira], 25 October 1819, *Letters and Journals*, iv. 364).

⁸ *The Works of Lord Byron: with his Letters and Journals, and his Life* (London, 1832-3), iv. 82-4, 225-7.

any vacancy *in terra firma* : had he heard of Fagan's¹ death earlier, he would have applied to succeed him in Sicily.

On any other ground than that of my health I should be ashamed to profess myself dissatisfied with my present Appointment, but the experience which I have now had of this climate upon my constitution, which instead of becoming proof against it, grows daily more sensible to its effects, makes me particularly anxious to remove from hence. To another perhaps this place might not prove so obnoxious, but having tried a change of air during the summer,² and having on my return here relapsed into the same bilious and nervous state in which I was previous to my departure, I can no longer persuade myself that I have any chance of getting over the baneful effects of this climate.³

In 1818 he put forward a suggestion on 'a subject, which however it may appear prompted by a consideration of personal advantage, has been suggested to me by some of the British merchants resident at Trieste', namely the transfer from decaying Venice to that growing port of the residence of the consul-general.⁴ No answer to this is preserved. In 1819 he suggested that, since on the establishment at Milan of the Archduke Rainer the Venetian consuls of most of the other foreign powers had received authorization 'to attend upon the vice roy of His Imperial Majesty at Milan', the British representative might be allowed to do likewise. This was for the present declined.⁵ Small wonder, however, that preferment did not come his way, if an intercepted letter to Byron of 22 September 1820, passed on (it would seem) to Lord Liverpool by the foreign office, in which the writer refers to Queen Carolina as 'this gracious Dame', traverses the veracity of a Venetian accuser and denounces 'the infamous conduct of the Milan Commissioners', be really his.⁶

For permission to spend the summer in Switzerland—his wife's native country—he several times applied. Thus in 1819 he was granted three months' leave of absence there on private and family affairs.⁷ In 1821 his application was, as we have seen, corroborated by the stench of the canals : he and his wife

¹ Consul-general at Palermo, who had committed suicide in Rome on 26 August (F.O. 70/76, A. S. Douglas to Castlereagh, no. 26, Naples, 30 August 1816; J. Walsh to Hamilton, Palermo, 12 September 1816; F.O. 43/9, C. Denis to Hamilton, Albano, 28 August 1816; cf. *ante*, ii. 482 n., where the date is wrongly given as the 16th).

² For Hoppner's villa in the Euganean Hills see *Letters and Journals*, cit. iv. 166 n.

³ F.O. 7/130, Hoppner to Hamilton, Private, Venice, 15 November 1816.

⁴ F.O. 7/139, Hoppner to Castlereagh, Separate, Venice, 22 June 1818.

⁵ F.O. 7/145, Hoppner to Castlereagh, Vevey, 1 September 1819; [Hamilton] to Hoppner (draft), Foreign Office, 18 November 1819.

⁶ Add. MS. 38287, fos. 256-7, Hoppner to Byron (copy), Venice, 22 September 1820. As to the attribution, see the curious pencilled note by Lord Clanwilliam (then acting as under-secretary for foreign affairs) on the back. Hoppner's letter to Byron of the 27th speaks of 'the shameful conduct' of the commissioners (*Lord Byron's Correspondence*, ed. J. Murray, 1922, ii. 195).

⁷ *Ibid.* Hamilton to Hoppner (draft), Foreign Office, 12 August 1819.

hoped to visit the latter's sister, 'who is recently married to the present proprietor of Ferney, a M. de Budé of Geneva'. This was also granted,¹ as was that of 1823, based once more on grounds of health and Mrs. Hoppner's family affairs.² From Ferney he, in July 1823, announced his intention of going on to England in the hope of meeting not only one brother,³ who on the grounds of ill health had been obliged to return from the East Indies after a sojourn of nearly twenty years and whom he hoped to take back with him to Switzerland, but also, perhaps, a second.

It is now nearly ten years since I left England . . . and although many things have occurred to render my return there of moment to myself, I have constantly resisted the temptation, chiefly because I could not bear the thoughts of returning home only for a few weeks. The present case has however shaken my resolution: I cannot resist the certainty of seeing one brother after so long an absence, and the prospect of again meeting another (absent on the Polar expedition),⁴ whom I have not seen these 14 years, and whose return I hope we may look forward to during the present summer. I say nothing of my own affairs which have remained all the time of my absence in a very unsettled state, and which I may have the opportunity of looking into.⁵

But the period of his consulate was drawing to a close. Disappointed of the succession to Lisbon and Palermo, wearied of his residence 'among a people whose difference of manners and education deprive me of many social enjoyments',⁶ and witness of the 'visible deterioration' not only of his own health but also 'of that of Mrs. Hoppner and my eldest child',⁷ he made verbal application to Canning, when in London, to retire.⁸ Planta informed him in September that the foreign secretary would 'consider favorably your wishes of retiring upon a pension', and that meanwhile—if it should suit him to remain longer at Vevey—he would grant him an extension of leave.⁹ On reaching the

↓ F.O. 7/165, Hoppner to Planta, Private, Venice, 7 April 1821; Clanwilliam to Hoppner (draft), Foreign Office, 8 May 1821.

¹ F.O. 7/178, Hoppner to Planta, Private, Venice, 28 May 1823; Planta to Hoppner (draft), Foreign Office, 17 June 1823. Endorsed on the former is a note by Planta: 'I hope You will grant this as Hoppner has been a very attentive servant at his Post.'

² John Hoppner's eldest son, an Indian judge.

³ Henry Parkyns (*supra*), who took part in Parry's expedition of 1821-3 as senior lieutenant of the *Hecla*. She did not, however, reach Lerwick until 10 October, and only anchored in the Thames on the 21st (Public Record Office, Ad. 55/62).

⁴ F.O. 7/178, Hoppner to Planta, Ferney, 16 July 1823.

⁵ F.O. 7/173, Hoppner to Londonderry, Private, Venice, 28 May 1822.

⁶ F.O. 7/184, Hoppner to Planta, Private, Venice, 1 September 1824.

⁷ *Ibid.* He had already referred to his willingness to retire on a pension, until some other vacancy should occur, in May 1822 (F.O. 7/173, Hoppner to Londonderry, Private, Venice, 28 May 1822).

⁸ F.O. 7/178, Planta to Hoppner, Private (draft), [Foreign Office], 30 September 1823.

latter on his return Hoppner was compelled to seek permission to remain there for the winter on the ground of his wife's health, adding that he would like his present employment to continue until the coming spring.¹ On 4 November Planta notified him that Canning had considered the wish expressed to him by Hoppner to retire on the grounds of ill health, and that, should he forward the formal application with the medical certificates required by the act, 3 George IV, c. 113, the foreign secretary would recommend his retirement on a pension of £650.² So on 27 December Hoppner complied, with a document reviewing his past services, on whose details we have already drawn.³

Some unexplained delay now occurred in the negotiations. Hoppner recrossed the Alps to Venice early in 1824, a journey to the hardships of which he feelingly refers.⁴ In September he informed Planta, his intermediary, that, if the alternative of Venice or retirement were offered him, he must choose the latter, but that 'I certainly should be most happy to continue my services in any other country'.⁵ Planta replied that, while Canning would so employ him if opportunity occurred, he would in the meantime recommend 'a pension commensurate with your services, the same to commence from the 5 of Jan. 1825—at at which period your salary as H.M.'s Consul General at Venice will cease'.⁶ Hoppner's reply to this was to ask for an extension until the spring in order to enable him conveniently to move his family and dispose of his house and effects, and this was allowed.⁷

An offer—rather ironical for a man retiring on the grounds of ill health—made to him in January 1825, of a commissionership of arbitration at Havana, with a salary of £1,850 per annum, was declined owing to the separation of himself and his family and the consequent expense that the acceptance of such a post would entail and to the situation of the latter, should he fall a victim, before acquiring pension rights, to the even more notorious climate of that spot. As to his children, 'a good education is the only provision I can now hope to make for them', and this—the unhealthiness of residence apart—they would no more obtain at Havana than at Venice. Elsewhere he would go, where they could all be together, but this offer he was compelled to decline, as (he quietly observed) he had once declined

¹ F.O. 7/178, Hoppner to Planta, Private, Vevey, 15 October 1823.

² *Ibid.* Planta to Hoppner (draft), Foreign Office, 4 November 1823.

³ *Ibid.* Hoppner to Canning, Vevey, 27 December 1823.

⁴ F.O. 7/184, Hoppner to Planta, Private, Venice, 11 November 1824.

⁵ *Ibid.* Hoppner to Planta, Private, Venice, 1 September 1824.

⁶ *Ibid.* Planta to Hoppner (draft), Foreign Office, 18 October 1824.

⁷ *Ibid.* Hoppner to Planta, Private, Venice, 11 November 1824; Planta to Hoppner, Private (draft), Foreign Office, 30 November 1824.

exactly the same offer made him, shortly after the commissions had been established, by Castlereagh.¹ On 24 May he wrote that he would be 'immediately' setting 'out for England', and he was in London by July.² We hear no more of him for over five years.

Since the early spring of 1830 Matthews, successor to Jeffery as consul-general at Lisbon, had been languishing—on a two-thirds salary—in England on a 'temporary absence . . . on account of his health',³ an absence not, we may conjecture, unconnected with a certain official indiscretion previously committed by him. His successor proved to be Hoppner, who in December of that year was appointed 'H.M. acting consul-general in Portugal', at a salary of £2,000.⁴ But behind this lay more than a mere consular appointment. With the Miguelite usurpation England maintained no formal diplomatic relations.

In consequence of the suspension of all diplomattick intercourse with the Portuguese government [ran his instructions], and there being therefore no representative of H.M. at Lisbon, you will for the present be charged with the duty of protecting British subjects in Portugal, and of supporting their rights and privileges under existing treaties between the two countries.

These instructions proceed to inculcate a meticulous attitude of non-intervention in matters purely Portuguese, yet at the same time he was 'to employ whatever influence your publick character as H.M.'s Consul Genl. may give you, to induce the Portuguese Govt. to adopt a system of administration which may pave the way for the restoration of the relations of amity between that Govt. and other Powers' and heal the divisions 'of that unhappy and distracted Country'.

It has not been judged expedient to give you a royal commission on this occasion, but I have addressed a letter to the Portuguese minister for foreign affairs, communicating to H.E. the nature of your appoint-

¹ F.O. 7/189, Planta to Hoppner (draft), Foreign Office, 28 January 1825; Hoppner to Planta, Private, Venice, 12 February 1825. The first Slave Trade Commissioners for Sierra Leone and Havana were appointed—in virtue of the treaty with Spain of 23 September 1817, and the ensuing act of parliament—on 20 February 1819 (F.O. 83/888). Already in 1822 Hoppner had referred to the necessity of making some provision for the future (F.O. 7/173, Hoppner to Londonderry, Private, Venice, 28 May 1822).

² F.O. 7/189, Hoppner to Planta, Venice, 24 May 1825; London, 7 July 1825.

³ F.O. 63/361, [Lord Douglas] to Matthews (draft), Foreign Office, 26 April 1830; F.O. 63/368, Palmerston to Hoppner, no. 1 (draft), Foreign Office, 14 January 1831.

⁴ F.O. 63/368, Palmerston to Hoppner, nos. 1 and 2 (drafts), Foreign Office, 15 December 1830; no. 1 (draft), Foreign Office, 14 January 1831. His pension was to be suspended during the new appointment and he was granted an outfit- and travelling-allowance of £100 (*ibid.* no. 2).

ment and requesting him to permit you to act as H.M. consul-general in Portugal during Mr Matthews's absence.¹

Hoppner was thus minister in all but name and, where occasion arose, was to make 'such representations . . . as may be consistent with the relations in which the two Countries stand at the present moment to each other'.² On 20 December he declared himself ready to start.³ Immediately on receiving dispatches nos. 1-4 he went to Falmouth and embarked on H.M. sloop *Royalist*, reaching Lisbon on the evening of 13 January 1831, after a voyage of nineteen days, accompanied by tempestuous weather and adverse winds.⁴ So speedy, indeed, was his departure that Palmerston's instructions had to follow him.⁵ A later dispatch ordered him to maintain the usual ambassadorial plan of lateral communication, in this case with Addington at Madrid, who on his side was to receive similar directions.⁶

Here Hoppner was to remain for over two and a half years, engaged in the endless task of doing what he could to protect his unfortunate fellow-countrymen against the daily outrages inflicted on their persons and property by a government of brutes acting in the name of a fool.⁷ The restrictions imposed by official correspondence fail to hide his indignation at 'the brutalizing and degrading system of coercion resorted to by this government, which cannot fail to render them obnoxious in the eyes of civilized nations'.⁸ 'Mr. Hoppner's situation at Lisbon, being unquestionably *Political* . . .', remarks a foreign office

¹ F.O. 63/368, Palmerston to Hoppner, no. 1 (draft), Foreign Office, 14 January 1831.

² *Ibid.* Sir George Shee to Hoppner, no. 4 (draft), Foreign Office, 22 December 1830. Lord William Russell, on proceeding on his special mission in 1832 (*infra*), was instructed to make any representations to the Miguelite government through Hoppner, 'who in the absence of any accredited British Minister at Lisbon, is the Official Organ of communication with the existing Govt. of Portugal' (F.O. 63/384, [Palmerston] to Russell, no. 1 (draft), Foreign Office, 23 May 1832). Hoppner's own recall (F.O. 63/403, Palmerston to Hoppner, no. 36 (draft), Foreign Office, 12 August 1833) speaks of 'the peculiar Duties confided in you in the absence of a diplomattick Representative of H.M.' For the foreign secretary's own unofficial definition of his position see p. 385, below.

³ F.O. 63/361, Hoppner to Palmerston, Foreign Office, 20 December 1830.

⁴ F.O. 63/369, Hoppner to Palmerston, no. 1, Lisbon, 15 January 1831.

⁵ *Ibid.*; *id.* no. 7, Lisbon, 26 January 1831.

⁶ F.O. 63/368, Shee to Hoppner, no. 15 (draft), Foreign Office, 9 March 1831. Hoppner's opinion of Addington on a later occasion does not appear to have been at all favourable (F.O. 63/387, Hoppner to Palmerston, no. 99, Lisbon, 16 June 1832). Addington's views were, indeed, by no means those of the consul-general: see Admiral (later Sir) Charles Napier, *An Account of the War in Portugal* (1836), i. 290; S. Lane-Poole, *The Life of Stratford Canning* (1888), ii. 28.

⁷ ' . . . The power is in the hands of a faction, whose tool (and, from the apathy He shows in his cause I might say whose unwilling tool) Dom Miguel is; His Royal Highness appears to have no distinctive quality besides cruelty, and that of the vilest kind' (F.O. 63/384, Russell to Palmerston, no. 2, Lisbon, 16 June 1832).

⁸ F.O. 63/371, Hoppner to Palmerston, no. 89, Lisbon, 16 July 1831.

memorandum of November.¹ It was more than political: it was personally dangerous.

For myself [he tells Palmerston in August] I have been several times threatened with ill treatment and even assassination, which I should be backward in mentioning to your Lordship did not the frequent warnings I have received from highly respectable and credible persons compel one to believe that some act of violence is really meditated against me. Yet have I been most cautious and reserved in my conduct, endeavouring so to demean myself as not to give offence, and being only obnoxious to the party in power from the persuasion they entertain that I have given to my Government a faithful account of passing occurrences.²

Pour comble de malheur he was the subject of charges raised in the house of lords by the marquis of Londonderry at the instigation of the Miguelite major-general, Sir John Campbell,³ but this had the effect of producing a handsome address from 113 English residents of Lisbon,⁴ a document which may be compared with the thanks expressed to the government and himself in May by members of the colony on the successful prosecution—following on a naval demonstration—of the British claims.⁵ Fortunately his health stood the strain. 'There cannot be a better proof of my own amendment since I came here', he writes to Bidwell only a month after his arrival, 'than that the many vexations I experience from this government cause me scarcely

¹ F.O. 63/372, Memorandum, Foreign Office, 22 November 1831.

² F.O. 63/371, Hoppner to Palmerston, no. 105, Lisbon, 27 August 1831. See *Letters of Dorothea, Princess Lieven*, ed. L. G. Robinson (1902), p. 309 (22 July 1831). For a very different account of Hoppner's position see the, however, obviously tendentious letter of de Carneiro to Wellington, Exeter, 7 December 1801 (*Dispatches, Correspondence, and Memoranda of . . . Arthur Duke of Wellington*, viii. 121): ' . . . le peuple, loin de recevoir les Français à bras ouverts, était décidé à faire main basse sur eux, ainsi que sur ceux qui les protégeaient, entre lesquels était Mr. Hoppner, le consul anglais, qui malgré tout, comme Anglais, a été religieusement respecté.'

³ 'Sir I: Campbell ["this intriguing foreigner"]', whose zealous participation in the intrigues of the Apostolical party is so well known' (F.O. 63/405, Hoppner to Palmerston, no. 97, Lisbon, 1 June 1833; F.O. 63/404, Hoppner to Shee, no. 40, Lisbon, 2 March 1833), and whose disrespectful language (he had also held an English commission) about King William IV, addressed, on a later occasion, to the master of a shipwrecked British vessel, was the subject of a special inquiry by the Foreign Office (F.O. 63/385, Shee to Hoppner, no. 54 (draft), Foreign Office, 21 November 1832).

⁴ Address of 113 British Residents, Lisbon, 21 September 1831 (Enclosure no. 1 in F.O. 63/372, Hoppner to Shee, no. 120, Lisbon, 23 September 1831).

⁵ At Oporto, 11–13 May 1831 (F.O. 63/370, Hoppner to Palmerston, no. 65, Lisbon, 18 May 1831, Enclosures nos. 1 and 2), and at Lisbon, 4 May 1831 (*ibid.* Hoppner to Palmerston, no. 61, Lisbon, 7 May 1831, Enclosure). Of 29 March of this year we also possess a note in Palmerston's hand, discussing Hoppner's attitude on a certain occasion *vis-à-vis* the Portuguese government, which begins: '[I] Intirely approve of his Conduct' (F.O. 63/369). Much of Hoppner's correspondence of this year has been printed in 'Papers relative to Portugal. Correspondence relative to the British [*id.* "French"] Demands upon the Government of Portugal' (*House of Lords, Sessional Papers, 1801–33/ccxcv.* 343 ff.; *House of Commons, Sessional Papers, 1831/xx.* 13 ff.).

a momentary annoyance and I set about obviating them with perfect cheerfulness and satisfaction.' ¹ His epistolary activity was remarkable : one hundred and eighty numbered dispatches were addressed by him to the foreign office during the course of 1831. In the following year he actually sent off two hundred and fifteen. ²

This year, indeed, which saw the landing of Dom Pedro's expedition, increased the difficulties of Hoppner's position.

As for myself [he explained in June], as I have the misfortune to have incurred the ill will of the advocates of arbitrary power, by a little Zeal, which in the performance of my duties I have displayed in exposing some of the evil consequences arising from it, I must submit to the effects of their unfounded prejudice against me. . . . I am too well aware of the weight of responsibility resting upon me, to commit either my Government or my own individual character, by any acts of indiscretion or precipitancy, or to steer my course by the dictates of prejudice. ³

His sympathy with the unmerited sufferings of this wretched country cannot, however, have been disguised from the Visconde de Santarem, when he could write home to Palmerston of the 'true feelings of the Portuguese nation, and of the impatience with which they writhe under the cruel and degrading yoke now imposed upon them', ⁴ and, in discussing the possible reaction on the Portuguese crisis of the resignation of the Whig ministry, to his under-secretary, 'I confess that it will be a source of great sorrow to me if it is to perpetuate the miseries of this suffering people', ⁵ while an incautious expression, arising out

¹ F.O. 63/374, Hoppner to Bidwell, Private, Lisbon, 21 February 1831. The letter goes on to say : 'They are nevertheless a bad set, and I fear the longer I live among them, the worse must become my opinion of them.'

² F.O. 63/373, Hoppner to Shee, Separate, [no. 1], Lisbon, 31 December 1831 ; F.O. 63/389, *id.* Separate, Lisbon, 31 December 1832. These totals do not, of course, include the (unnumbered) separates, &c., nor yet the parallel series of consular reports.

Hidden away among these gloomy records of oppression, remonstrance, and evasion is one characteristic Palmerstonian minute. Hoppner having approached the Foreign Office on behalf of one of his clerks, whose careful hand had drawn up the bulk of all these dispatches, the secretary of state comments : 'I should like to bring Mr Henderson to Downing St. & appoint him Writing Master to the Foreign Office' (F.O. 63/372, Hoppner to Shee, Private, Lisbon, 3 November 1831). Other rare breaks in the monotony are the scandalous and amusing biographies of the editor of the *Desengano* and of the archbishops designate of Braga and Evora (F.O. 63/371, Hoppner to Palmerston, Private, Lisbon, 3 September 1831, Enclosure no. 3 ; F.O. 63/372, *id.* no. 126, Lisbon, 8 October 1831, Enclosures nos. 2 and 3).

³ F.O. 63/387, Hoppner to Palmerston, no. 99, Lisbon, 16 June 1832.

⁴ F.O. 63/387, Hoppner to Palmerston, no. 55, Lisbon, 7 April 1832. 'Mr Hoppner is so well acquainted with the crooked ways of this Government', wrote his fellow representative Russell on one occasion, 'that, He will not allow himself to be intimidated, and, I have no doubt, will, by his decided language, oblige them to afford the English that protection, which they seem disposed to withhold' (F.O. 63/384, Russell to Palmerston, no. 8, Lisbon, 9 July 1832).

⁵ F.O. 63/390, Hoppner to J. Backhouse, Lisbon, 19 May 1832. Russell was even

of this generous temper, brought on him from the secretary of state the honour of an implied rebuke.¹ This he effectively rebutted :

In the multiplicity of complex business which I have to perform, under the trying circumstances of this country ; having to execute the duties of chargé d'affaires as well as of consul-general, and consequently to keep up a constant and active correspondence, not only with your lordship's department, but with the admiral commanding His Majesty's ships on the station, as well as with the Portuguese government, and with His Majesty's consuls throughout the kingdom ; having besides so little assistance, that it is frequently with extreme difficulty that I am enabled to complete my task in the short time that elapses between the entrance and departure of the packets, I trust I may claim your lordship's indulgence for an inadvertent expression.²

It was at the end of this year, too, when nearly six months had elapsed since the landing at Oporto, that Hoppner, influenced by the dragging uncertainty, personal insecurity, and financial losses of the political situation, addressed to the foreign secretary *à titre particulier* his ' Observations on the true state of Portugal, and the views of the Faction which now governs it, with respect to England and Spain ',³ a drastic survey of the Miguelite misrule, coupled with the broadest hint as to the advisability of intervention : ' . . . any organized resistance to the Government which now oppresses them, *without some foreign assistance*, is impossible.' His hopes on this head are, moreover, to be detected, in an official garb, in three dispatches of the new year. ' One opinion appears very generally to prevail with all parties here, namely that it is only by the active intervention of Great Britain, and by a decided manifestation of her views, that an end can be put to the calamities of this country.' Her patience under loss

more emphatic. Barely a week after his arrival he writes to Palmerston of his wish ' to see this detestable tyranny overthrown ', and adds, ' Were I to attempt to give your Lordship a description of the misery of this Country, you would believe I was writing a Romance rather than the truth ' (F.O. 63/384, Russell to Palmerston, no. 2, Lisbon, 16 June 1832). The general impression as to the state of public opinion produced by Hoppner's dispatches stands in strong contrast with that as given by Dr. Edmundson in the *Cambridge Modern History* (x. 323, 328, 337), but the former's personal experience was virtually confined to the capital, of which Russell later remarks, ' The great strength of the Constitutional party is in Lisbon ' (F.O. 63/399, Russell to Palmerston, no. 56, Lisbon, 3 July 1833). Cf. Napier, i. 252, and also Russell's own remarks, on his return to England, to Princess Lieven (*Letters*, p. 376).

¹ F.O. 63/385, Palmerston to Hoppner, no. 48 (draft), Foreign Office, 1 November 1832. A private letter from the foreign secretary of the same date (Brit. Mus. Eg. MS. 2343, fos. 11-12) still further softened the official dispatch.

² F.O. 63/389, Hoppner to Palmerston, no. 188, Lisbon, 7 November 1832.

³ The covering letter (*ibid.* Hoppner to Palmerston, Private, Lisbon, 26 December 1832) remarks, ' Having now resided two years in Portugal, I feel, as it is impossible not to do, the most lively interest in the fate of the people amongst whom I have been living, and whose many good qualities I have had an opportunity to observe ', and goes on to refer to his ' wish to see an end put to their troubles '.

of trade having given rise to the impression that she is indifferent, 'it is not easy to persuade the people in general that England desires to see a change in their government, still less so to induce them to exert themselves in order to effect one'.¹ Both the liberal and the absolute parties hold that 'without the timely intervention of England, the internal dissensions of Portugal will only be terminated by the total ruin of the country', while 'the moderate and respectable part of the nation' would agree to the presence of an English force as a guarantee until (Hoppner suggests) stability were once more reached.²

Six hopeless months were yet again to elapse, but on the evening of 24 June 1833 the duke of Terceira's force effected a landing in the bay of Cacella in the Algarves.³ On 5 July Napier destroyed the Miguelite fleet off Cape St. Vincent; on the 23rd the duke appeared on the south bank of the Tagus, opposite Lisbon, routing and killing Telles Jordão at Piedade, and soon after daybreak on the 24th the usurper's authorities and troops evacuated the capital, which was at once occupied, Dom Pedro making his entry on the 28th.⁴ Great Britain lost no time in recognizing the restored government. Lord William Russell, who, in view of the then approaching expedition of the emperor, had landed in Lisbon on 9 June of the previous year on a special mission of surveillance to guard against intervention by Spain,⁵ was now provided with the appropriate credentials and instructed to present them to the regency forthwith.⁶ This he did on the Assumption, the name-day of the young queen,⁷ and Hoppner's duties were at an end.

¹ F.O. 63/404, Hoppner to Palmerston, no. 2, Lisbon, 1 January 1833.

² *Ibid.* no. 5, Lisbon, 7 January 1833. Cf. *ibid.* Separate and Secret, Lisbon, 18 January 1833, reporting a conversation with the Conde de Porto Santo, who foretold the 'irresistible effect' of England's recognizing the Conde de Funchal as Portuguese representative or of her sending a minister to Oporto.

³ Napier, *op. cit.* i. 187. Both Hoppner and Russell give the date as the 25th (F.O. 63/406, Hoppner to Shee, no. 120, Lisbon, 3 July 1833; F.O. 63/399, Russell to Palmerston, no. 56, Lisbon, *eodem*, but the disembarkation is said to have been completed by midnight of the 24th (Napier, *loc. cit.*).

⁴ F.O. 63/406, Hoppner to Palmerston, no. 137, Lisbon, 25 July 1833; *ibid.* no. 141, Lisbon, 31 July 1833; F.O. 63/399, Russell to Palmerston, no. 61, Lisbon, 25 July 1833; *ibid.* no. 63, Lisbon, 7 August 1833.

⁵ F.O. 63/384, [Palmerston] to Russell, nos. 1 and 2 (drafts), Foreign Office, 23 May 1832; Russell to Palmerston, no. 1, Lisbon, 9 June 1832; F.O. 63/385, Palmerston to Hoppner, no. 18 (draft), Foreign Office, 23 May 1832 ('for the purpose of making in concert with you, such arrangements as may enable him to obtain early and certain information of the movements of the Spanish Troops'); F.O. 63/387, Hoppner to Shee, no. 94, Lisbon, 9 June 1832.

⁶ F.O. 63/398, [Palmerston] to Russell, no. 9 (draft), Foreign Office, 7 August 1833 ('provided', this dispatch adds, 'no unforeseen change shall in the meanwhile have happened, & the state of things in Portugal shall be such as to afford sufficient confidence in the stability of the newly constituted Govt.').

⁷ F.O. 63/399, Russell to Palmerston, no. 67, Lisbon, 16 August 1833, enclosing

... The Cessation of your Functions [explained Palmerston in private] is no Consequence of dissatisfaction at your Conduct, but the natural Result of the sending out Credentials to a Minister Plenipotentiary. You were more of a Diplomatic than of a Consular Character; we cannot have Two Diplomatic agents at the same Place, and you could not subside into a merely Commercial agent, after having been the Diplomatic organ of your Government. Your functions therefore necessarily ceased whenever our regular Diplomatic Relations with Portugal revived.¹

His acknowledgement of his recall, dated 19 August 1833, declares his 'intention to proceed to England by the first convenient opportunity, leaving my family to follow as soon as a vessel can be met with affording sufficient accommodation for them'.² By the 26th Meagher, his vice-consul, had taken charge of the consulate.³ He sailed from Lisbon the next day in H.M. schooner *Pike*, landed at Falmouth on 9 September,⁴ and by the 12th was in London once more.⁵

I have received [wrote Palmerston on the 2nd] your letter of the 16th ulto. and have great Pleasure in assuring you that you are not mistaken in supposing that I have observed with approbation the zeal & assiduity with which you have performed the difficult & laborious Duties of the special appointment in which you have been employed.⁶

About future employment, however, for which Hoppner had evidently sued, Palmerston would make no commitments,⁷ and no further mission appears to have been entrusted to him. His name is not to be found in the indexes of the foreign office registers of consular commissions between this year and 1860 (by which time he would have attained the age of seventy-four), nor, for that matter, in those of the registers of full powers to 1857, a form of proof which, though not absolute, is virtually decisive.⁸ After a residence of two years at Grenoble he settled at Versailles, and on his wife's death went to Turin, where he died⁹ on 6 August 1872.

C. S. B. BUCKLAND.

also the *Chronica Constitucional de Lisboa*, no. 18, Supplement, containing the official Portuguese account.

¹ Egerton MS. 2343, fos. 14-15, Palmerston to Hoppner, Private, Foreign Office, 23 August 1833.

² F.O. 63/406, Hoppner to Palmerston, no. 161, Lisbon, 19 August 1833. His recall (F.O. 63/403, Palmerston to Hoppner, no. 36 (draft), Foreign Office) is dated 12 August.

³ F.O. 63/407, J. Meagher to Backhouse, no. 1, Lisbon, 26 August 1833.

⁴ F.O. 63/399, Russell to Palmerston, no. 71, Lisbon, 26 August, 1833; Ad. 51/3291; Ad. 53/1029.

⁵ Of this date we possess a memorandum on the defences of Lisbon, signed and dated by Hoppner at the Foreign Office (F.O. 63/406).

⁶ Egerton MS. 2343, fos. 16-17, Palmerston to Hoppner, Private, Foreign Office, 2 September 1833. Hoppner's letter of 16 August (evidently a private one) is not preserved in F.O. 63/406.

⁷ *Ibid.*

⁸ F.O. 83/1220-22, 889 (unindexed), 890-94; *Foreign Office List*, 1873, p. 202.

⁹ Brit. Mus., Add. MS. 38510, fos. 267, 278; *Foreign Office List*, 1873, p. 202; *Notes and Queries*, 7th series, ix. 35; *Letters and Journals*, iv. 84 n.

The Finlay Papers

IN the Oxford edition of Finlay's *History*¹ it is written : 'All attempts to recover the correspondence of his earlier years . . . have hitherto been unavailing.' The present article, the result of a study of all his papers in the Finlay library of the British School at Athens, deals with his diaries, letter-books, and correspondence. With his journalistic work I hope to deal in another article. His documents are contained in two cupboards and, apart from a few books of newspaper-cuttings and commonplace books, consist of twenty-seven volumes and cases, besides nine volumes of 'Letters on Greek Affairs' from 1864 to 1874, composed mainly of the original manuscripts of his letters to *The Times*, the printed copies of which are mostly in five folios in an opposite bookcase. In one notebook, labelled 'Extracts, Letters, and Documents relative to the Writings of George Finlay', is a list of his printed works up to 31 January 1865, which I have brought up to the date of his death. This volume also contains the account of his reported death at Chios in 1828 and a list of the various honours conferred upon him : the silver medal of the War of Independence in 1836 ; the Gold Cross of the Order of the Redeemer, given him by Rudhart in 1837, for which he thanked that minister in an extant letter ; various diplomas of learned societies, and the notification of his election as provincial councillor of Athens in 1841, when he was second on the list with 398 votes. Several books in his library also contain valuable *marginalia*, a few about Lord Byron.

His earliest works (preserved in a large volume, entitled 'MSS. G.F.') were a juvenile essay 'On the progress of Civil Liberty in Modern Europe', read before the Literary and Commercial Society of Glasgow on 18 April 1821, and 'Observations on Heeren's *Vermischte Historische Schriften*, written at Göttingen, March 1823'. The same volume contains 'Notes on my first visit to Greece in 1823 and 1824', in which he states : 'My journal was lost . . . in crossing the river Phidari' on 21 March 1824, when he was on his way from Missolonghi to Athens ; he reconstructed it very soon afterwards at Missolonghi in the same

¹ i, p. xlvii.

month. He was under no illusions about the importance of keeping a journal.

I do so [he wrote in 1832] to gratify that unextinguishable vanity which pervades so great a part of man's actions. It is a task which my reason tells me is a useless, tho' I believe a harmless employment of my time. Still I own I should feel a gratification, if I could know that my worthless memoranda were to be read by some congenial spirit, one who would feel all the glows of enthusiasm I have felt, participate [in] the chilly feelings which blasted my various hopes and pardon my errors, attribute to me the virtues I wish to possess and overlook the vices I have.¹

But his diary was by no means egotistical. He wrote much about 'this country', which 'in its present circumstances is worthy of the attention of the soldier and the statesman'. He complains of unjust calumnies against the modern Greeks by travellers. 'The truth is, we have all along required a great deal too much from these descendants of Hercules and are displeased that they proved men in place of demigods.' He drew up a memorandum from Salona in April 1824 on the military and political situation, pointing out that Greece could not be judged by European standards, and an essay 'On the formation of regular troops in Greece' at Ancona on 16 November 1826. On his return to Greece he wrote at Aegina, in July 1827, 'On the state of political, naval and military affairs in Greece', and with that year begins his first 'Letter Book: 1827-1836', containing summaries, and sometimes full copies, of his letters. His correspondents included during that period such well-known persons as Ricardo, the 'typographical' Colonel Leicester Stanhope, Lord Cochrane, Colonel Napier (then British Resident in Cephalonia), and Prince Leopold (afterwards first king of the Belgians), on whose 'resignation of the sovereignty of Greece' he wrote from Aegina in 1830 some 'Observations' very hostile to Capo d'Istria for having tried to discourage Leopold from coming by his dark picture of the state of things. British diplomacy is here represented by Palmerston, Dawkins, the first, and Sir E. Lyons, the second of the fifteen ministers who have represented Great Britain in Greece, and Parish, the author of the rare *Diplomatic History of the Greek Monarchy*. The letters are in English, French, very good German (learned in Germany), and Greek, which he wrote well. But they occasionally show a tactlessness and a touchiness characteristic of the writer. Thus, to Viaro Capo d'Istria he wrote in 1828: 'I am too proud to be a tolerated guest even of monarchs'; to Alexander Mavrokordatos on 10 June 1834: 'For the second time since I first put my foot on the shores of Greece in 1823 I demand a favour of a Greek.

¹ Small note-book of 1832. Gamba (*A Narrative of Lord Byron's Last Journey to Greece*, p. 218) describes the loss of Finlay's journal.

... I have to solicit you that you will remember these things [my services] when it may be in your power to recommend me as a candidate for honours.' On 28 November 1829 he had written to Count Capo d'Istria, asking for the title of a Greek citizen in conformance with Art. 30, ch. 4, of the Constitution of Troezen, to which the president in reply raised a technical difficulty. A letter of 1830 is an application to Dawkins for employment under the British government in Greece. Upon Dawkins's recall in 1835 he entered in his 'Journal'¹ the caustic comment: 'He certainly goes without the regret or affection of any public or private individual who has had anything to do with him as British Minister.' Finlay did not love his country's representatives in Greece. Sir E. Lyons fared worse than Dawkins. At first he wrote on 28 November 1835 to Colonel Leake, with whom he corresponded between about 1830 and 1851 on Greek politics as well as topography: 'Sir Edmund... differs very much from his predecessor.' In 1836 he wrote to Lyons about his Attic estate, mentioning his sixteen farms at Liosia and his house in Aegina; but there followed a violent letter, complaining that the British minister had accused him of acting from unworthy motives about some private business on his Liosia property. And on 27 February 1849 he told Leake: 'The only consolation is that Sir Edmund Lyons is recalled.... Since the King made Coletti Prime Minister in 1844 Lyons has been more hostile to Greece than the Turkish Minister.... Lyons was opposed to municipal reform... and defended the system of farming the revenues', Finlay's favourite hobbies. Nor did our consuls fare much better at his hands. He continues: 'Another circumstance that renders the influence of England despicable is the state of our consulates.... She has two consuls in the city of Athens and only one mercantile firm and no consul and no trade at the Piræus.' And in his 'Visit to Rhodes' in 1853 he adds: 'All the Levant consuls have something not quite right in their views of conduct, a kind of obtuseness caused by living among rogues who do not believe in the existence of truth and honesty': rather a sweeping generalization. Of all our ministers to Greece, Erskine alone—although Finlay differed from his handling of the 'Marathon Massacres' in 1870—received his praise. He described him as 'the first foreign Minister who has taken the trouble to study the practical operation of the government and the wants of the people'. He accused Erskine of keeping the Zaïmes ministry in power, whereby he 'has done great harm both to England and himself'; but on Erskine's departure he wrote: 'No Minister could be more laborious in performing the business of the Legation, nor more

¹ 'Journal of the Expedition in Northern Greece', p. 57.

accessible to the claims made on his attention by persons of every rank'.¹

In 1832 Finlay undertook a journey to England, of which there is a diary in his 'Memorandum Book'. At that time he was already a disappointed man. He wrote on 12 September :

I have such appalling need of changing my lazy mode of life. . . . I shall soon be little more than a miserable vegetable. . . . The purpose for which I went to Greece will remain unfulfilled, and I shall have abandoned the elegancies of civilized life, the intellectual enjoyment of literature, the society of the friends of my youth and the duty I owe to my country without gratifying my ambition or doing any permanent good to Greece.²

On 30 May 1833 he wrote a letter in German to the regency, couched in an unusually humble tone, asking to be named 'officier à la suite' of Otho. On 7 June he was appointed 'Captain à la suite de l'armée', and speedily promoted to be major. He subsequently twice sent in his resignation of this rank, which Otho refused to accept ; but in his own copy of his pamphlet, *The Hellenic Kingdom and the Greek Revolution*, he has pasted a slip of paper over his military designation on the title-page, and in 1837 wrote to General Schmalz, minister for war, for leave to quit the army. In 1834, when Athens became the capital, he obtained occupation which interested him ; for Coletti, then secretary for the interior, nominated him commissioner extraordinary to assist the nomarch of Athens in preparing the plans for the town. In that capacity he wrote to Coletti in French on 20 September that 'Athènes est un amas de saleté, aucune rue dans la ville est praticable sans le danger de rompre le cou parmi les ruines, ou de marcher jusqu'aux genoux dans la boue. Aucune police n'existe.'³ He had already written a long letter⁴ on 28 May on the state of the plan of Athens to Messrs. D'Eichthal, Weissenberg, and Masson, in which he said :

Athens is a large and straggling village containing about 7,000 inhabitants, scattered over a space of ground, which, according to the ordinary density of population of towns in Europe, would contain 25,000 inhabitants. It is full of small and crooked lanes but is not intersected by any line of communication practicable for carriages—the one nearly so exists from the Temple of Theseus thro' the House of the Waywode (Megalo Konaki) and thence to the Arch of Hadrian. . . . In laying out the plan of the new capital, the town has been divided into three divisions : (1) That part which is abandoned to be excavated and contains upwards of 600 houses [on which subject he had written to Leake on 18 October 1833]. The proprietors are to be indemnified by land in the new town . . . taking

¹ Letters to Mowbray Morris, 5 January, 23 June 1870 ; unpublished letter to *The Times*, 22 April 1871.

² Small note-book of 1832. ³ 'Letter Book : 1827-1836'. ⁴ 'MSS. G. F.'

the relative distance from the House of the Waywode . . . as entitled to a corresponding piece of ground at an equal distance from the Royal Palace. (2) That part of the existing town which is not to be excavated. This part . . . contains already more than 800 houses. (3) The new town.

He criticized this scheme, suggesting 'that a public walk should be planted with Platanes [*sic*] and poplars on the banks of the Ilissos—and beneath the temple of Jupiter Olympius and going up towards the site of the Lyceium and the Stadium, and that this be called Regents' Grove'. Finlay was personally affected by the embellishment of Athens. In 1836 he wrote to Count Armansperg, complaining that workmen engaged in building the palace had occupied one of his fields and made their latrines there, for which he asks compensation; in 1837 he sought an indemnity for the occupation of his property by the royal printing office; in 1842 the new Patisia road traversed his land, while in 1842 and 1844 another portion of it was annexed as a shrubbery to the royal garden. He wrote in the latter year, that in Athens there is 'water in abundance', but he had none in his two houses, because the king and one of the Greek generals had appropriated it to the irrigation of their gardens. His claim against the Greek government in 1850 forms a part of Greek history. He interested himself apparently in the really most important question of modern Athens, the water-supply; for among his papers is a letter from Edwin Chadwick of 5 August 1844 asking whether the state or the municipality would guarantee 6 per cent. profit to any English capitalists who would do all the work.

Could the poorest Greek householder [queries the great expert] afford to pay 1*d.* weekly for a supply of 40 gallons of water *per diem* for drainage? Would the Greeks throughout Athens and one house with another pay 10*s.* *per annum* for such a supply? . . . The Greek shall be rescued from the tyranny of filth, . . . he shall have a clear and perpetual spring of water . . . carried into his house, . . . if he will pay 6 per cent. for it, or 2*d.* per week, 1*d.* the poorest, 3*d.* the richest.¹

This letter is of practical value even to-day.

In 1835 Finlay took part in 'the expedition in Northern Greece under General Gordon' against the brigands, of which there are extant a 'Road book', a 'Journal', and a summary in the *History*.² He noticed the progress of this part of Greece. Patras had 'already about 6,000 inhabitants'; Missolonghi had much improved since his former visit in 1824. 'Glass windows, which were formerly almost unknown in Greece, are now becoming a common article of luxury. . . . It has much more

¹ 'Letter Book: 1827-1836'; 'Correspondence' [1837-49]; letter-case 'Correspondence, I'; *The Morning Chronicle*, 23 October 1839.

² vii. 158-61.

the appearance of a town than it had when Lord Byron lived in it. . . .’ But ‘the women still maintain their reputation for honesty’. Of Karpenisi he wrote: ‘Few signs of government seem to exist in this province except taxes and robbers.’ He was severe on the Bavarians.

The Germans [he told Leake on 23 July 1835] are far inferior even to the Greek regular troops. . . . Not one German in the kingdom knows anything about it. . . . Count Armandsparg is at least not a mere Bavarian, only a prejudiced European who thinks, because he wore long trowsers from his youth, that he must know how to govern Greece better than people who wore fustianellas [*sic*]. . . . He is a weak man [who] does nothing but scribble, scribble, scribble. . . . Absolute inaction has reigned in the Government since he became sole Minister. . . . He appears to be incapable, to be confounded, to be asleep or to be occupied with the marriage of his two daughters.¹

But the historian had personal grievances: ‘Philhellenes’, he wrote, ‘are in such reputation that from my offering to serve as a volunteer’ on this expedition ‘. . . they refused my horse rations . . ., I served without pay.’ He adds: ‘Count Armandsparg only once spoke to me on business, and then I was interested and stood on his stair for half an hour—yet he ventured to pass me till I made use of a tone loud enough to awaken a Bavarian.’ Of Gordon he had as good an opinion, as he had a bad one of Church (from whom he had difficulty in extracting rent): ‘I know only two men who have appeared in public affairs in Greece’, he told Leake, ‘who have always begun to fit everything to what they found existing’, instead of theorizing—‘Hastings . . . and Gordon’.

He told Leake in 1835 that ‘gardening, not antiquities, has become my favourite pursuit’, and though there is extant a ‘Journal of a visit to Liosia’ in 1836, his difficulties on that estate were such that he confessed: ‘I seldom visit my property.’ ‘I feel naturally rather violently against a Government that has plundered me to a considerable amount—half ruined me and insulted me. . . . I am a Liberal, so the king, who has heard my name continually connected with valonia, kept the ordinance for the tenths of valonia six weeks on his table unsigned.’ Finlay was thus not permitted to collect his crop till the tithe had been taken; meanwhile the peasants stole it all!² Incidents like this should be considered in estimating his impartiality as a historian of his own time. For, like most philosophic writers, he was very sensitive. In 1836 he accordingly turned from farming to literature. Previously to that he had only published in 1825 two letters to Colonel Leicester Stanhope at his request on his

¹ ‘Journal’, pp. 55, 57, 74, 116, 210.

² Letter to Leake, 30 September 1839.

recollections of Lord Byron, written at Argos and Tripolitza in May and June 1824, with a foot-note dated 'London, 1825', soon after his return thither, three letters—all on Greek affairs—in *The Scotsman* and another Scottish newspaper, and three more in the 'Ἀθηναῖα' of Nauplia. But in January 1836 he printed 200 copies of his *Essai sur les principes de Banque appliqués à l'état actuel de la Grèce*, which was followed by his pamphlet on *The Hellenic Kingdom and the Greek Revolution*. He also read a memoir in Greek to the Society of Natural History of Athens on the discovery of fossils at Pikermi (a collection of which he gave to the Geological Society in London), and drew up a memorial to Otho on administrative reform. On 26 September he wrote to Leake: 'I have for some time indulged the idea of writing a history of modern Greece. My great object would be to bring out the peculiar moral and political features which separate Greek history from that of our European nations.' 'I am not scholar enough', he added later, 'to wean myself of politics.' On 22 December he confessed that

My opposition opinions in politics seem to be the cause of my seclusion from society in a great measure. . . . The avarice and extreme penury of ideas of the diplomatic body seems to induce them all to live in a very isolated manner. . . . I console myself with study or perhaps rather trifling over books. Still at times I form projects of . . . settling down to write a history of the demoralization and regeneration of the Greek nation. But without libraries and too poor to travel to visit them, perhaps too ignorant to make a good use of them, how can I attempt to execute such a task? ¹

Another essay of 69 pp., 'On the condition and prospects of Greece', dated 1838, was never printed in this form. In 1838 and 1839 he published his topographical studies on *Oropia and Diacria*, *On the battle of Marathon*, and *On the positions of Aphidna and of the Oropian Amphiaræion*.

In 1837 Finlay, accompanied by Ross, the archaeologist,² made an interesting journey, of which he left a manuscript account of 124 pp. entitled 'Journal of a tour to several islands of the Archipelago in August and September, 1837'. A letter to Leake of 18 October was 'read before the Royal Society [of Literature] Dec. 14. '38'. Finlay copied the Loredano arms on the castle of Seriphos, and found that Siphnos had 'a more agreeable aspect than any other island of the Archipelago except perhaps Naxos', while Paleokastro in Ios 'is one of the best specimens of the fortifications of the Middle Ages in the islands'. His 'Journal' preserves a copy of Collingwood's letter of 1807 to the British consul in Santorin, promising protection to the islands, and sums up insular politics in the sentence:

¹ 'Miscellaneous' [1833-43], p. 21.

² *Reisen auf den griechischen Inseln* (ed. 1912), i. 109 ff.

'I have not met one person who has spoken in favour of the Government.' In 1838, as a subsequent letter from Finlay to the foreign office informs us, the Rev. Henry D. Leeves (whose monument is in the chancel of the English church at Athens) became 'chaplain to the British residents at Athens'. He was appointed by Lord Aberdeen the first chaplain of the British Legation in 1843, and was succeeded in 1845 by Dr. John Henry Hill.

The Cretan insurrection of 1841 had the rare merit of arousing Finlay's enthusiasm. The chief Cretans resident in Greece asked him to draw the attention of Pashley (whose *Travels* are still a standard work on that island) to the demands of their brethren and to beg him to espouse their cause. He sent, also at their desire, a similar letter to Leake, and showed his sympathy with the Cretans, scouting 'Urquhart's ridiculous notions of the regeneration of Turkey'. From the following year he dated his literary career. In his autobiographical notes he wrote that his 'literary life did not begin till 1842'. Then started his twenty-one years' spasmodic contributions to *Blackwood's Magazine*, which led to the publication of his historical works by that firm.

The Greek revolution of 1843 found him in Paris; but a notebook, labelled 'Greece, 1843, &c.', contains the characteristic anecdote, narrated to Finlay by Griffith, the secretary of the British Legation, that 'during the night of the Revolution of 3-15 September, Sir E. Lyons, who was supposed to have taken an active part in organizing the conspiracy, sent to the sentinel at the mint . . . to ask the cause of the disturbance in the middle of the night'. More recent British diplomatists have been accused by Athenian gossip of organizing intrigues, of which they heard for the first time when they saw their names in the newspapers! In the following year Finlay published in Greek the *Epistle to the Athenians*, giving them his advice as a 'fellow-citizen'. A journey to Egypt and Palestine made him talk of writing a book about those countries, which resolved itself into two articles for *Blackwood*, a pamphlet on *The Communications between Europe and India through Egypt* and a treatise *On the Site of the Holy Sepulchre*, originally published in 1847, and afterwards inserted as an appendix to his *History*.¹ His correspondence of that year alludes to the recent foundation of the French Archaeological School; he foretold that 'the influence France will acquire by this and her steamers will far surpass that of any merely political and party influence'. From 1850 dates his most interesting 'Journal', containing his 'Memoranda during a tour to Thessalonika, Constantinople, Brusa, Nicaea, Nicomedia,

¹ i. 455-76.

Sinope, Trebizond, and Samsoun (Amisos) in 1850'. He wrote that 'Nicaea is a most wretchedly looking village with a dilapidated bazaar', and that 'the few inhabitants had an air of poverty and ill-health'. The pages (27-52) descriptive of Trebizond were utilized in his *History*, although he confessed: 'I went to Trebizond as a traveller, not as a historian or antiquary.' The manuscript contains a plan of the city drawn by him, he discovered that the inscriptions in the Theosképastos monastery had been written by the local schoolmaster in 1843, and he found the foundations of Hadrian's mole at the eastern harbour. As he wrote to Leake: 'My visit to Trebizond afforded me a harvest of information on the topography as connected with the chronicle of Panaretos', and his 'Journal' describes Trebizond as 'the true type of Byzantine times' and declares 'few spots' to be 'more picturesque than Trebizond and its environs in the days of the Emperors'. He held that a historian should have seen the land whose history he writes. 'Grote', he said, 'has been guilty of a neglect in not visiting the country, which must seriously injure his work'; and again: 'I regret Grote had not seen Greece before writing. The want of a correct idea of the country gives him a very scholastic air, but I like his Athenian politics better than those of any of his predecessors. I am afraid, however, Cleon was no better than Coletti.'¹

In 1850 Finlay came prominently before the public in the unwelcome companionship of Don Pacifico as a claimant on the Greek government. 'As far as I have been concerned with the Greek dispute', he wrote, 'I escaped wonderfully well from the press in England and was treated with great liberality and respect by the press in Greece, which never said an insulting word concerning me.' He deprecated the British claim to the islands of Cervi and Sapienza, saying of Palmerston that 'in this business his statesmanship seems as bad as his geography', and adding: 'I hope England will not make herself ridiculous by her claim about the islands.' Indeed, to him 'diplomacy offers nothing more mean and bullying than the proceedings of England from 1835 to 1848'. If he criticized Greece, he did not spare his own country.

The principles which have regulated English policy in Greece since the constitution [he wrote in 1848] appear to me to be a direct encouragement of anarchy. . . . England talks of King Otho not *reigning* but *governing*, and Sir Edmund reproaches the King with being a fool. . . . It does not appear to me that, if we treat Greece as an independent Monarchy, . . . we are entitled to say to King Otho: 'make Aleko Prime Minister and not Yanko, or else we will declare you an idiot in every newspaper, into which we can foist an article.'

¹ Letters to Leake, 20 October 1847; 18 December 1850.

Two years later he added: 'Sir Edmund Lyons could never understand that it was of more consequence to Greeks to have a good road or a cheap steam communication than an English partisan in the Ministry.'

A 'Visit to Rhodes, Kos, Samos, and Chios in the spring of 1853' occupies 30 pp. of the above-mentioned 'Journal'.

The city of Rhodes [he wrote] has the character of the period at which it passed into the possession of the Turks . . . strongly imprinted on it. But it shows that even the Knights in the Levant did not inhabit palaces equal to what they would have required in the west. The Franks, like the Turks, seem always to have felt that they were only sojourners in the islands of Greece and on the coasts of Asia Minor: their sympathies, their feelings and their thoughts were connected with other lands, and their glory was to be obtained by the approbation of the Franks, not of the Greeks.

This was perhaps the reason why he could 'find no very ancient armorial bearings in Greece':¹ he had not seen those at Geraki. This island tour was followed by a 'Visit to Andros' and an 'Excursion to Stelidha, Amaliopolis, Volo, Skiathos and Skopelos', both 'in 1858'. He found 'some remains of a Frank castle . . . in the port' of Skiathos, and was told that the landed proprietors of Skopelos 'are called γαλαζούς or γαλαξοαίματος, as being an aristocracy which prides itself on its nobility and must have blue blood not red'. He revisited Andros in 1861 and made brief voyages to Crete in 1867 and 1868; but thenceforth his travels were limited to Switzerland, which he loved to compare, somewhat unfairly, with Greece. 'Greece', he thought, 'ought to look to Switzerland and Holland for lessons, but she looks to France, England and Russia. France has robbed her of her institutions and given her fashions and centralization, England has given her a King and Russia a Queen, and Russia has done her least harm.'²

In the early fifties Finlay was occupied with his 'historical work. He had written in 1849 to Mr. (afterwards Sir) Patrick Colquhoun (later chief justice of the Ionian Islands), promising a paper on the duchy of Athens;³ but in 1850 he wrote to Leake: 'I hope the R. S. of Literature have not thought of printing the memoir I sent Mr. Colquhoun on the Dukes of Athens, as I have inserted greater part of it in a new form in this volume', i. e. *Mediaeval Greece and Trebizond*, which it cost him £130 to bring out. In 1855 he wrote to his publishers suggesting maps of the Frank principalities and the empire of Trebizond—the second still unsupplied—'but I suppose', he added, 'it would not

¹ Letter to Leake, 18 May 1850.

² e. g. *Saturday Review*, 29 August 1868; '1868. Journal and Accounts'.

³ 'Correspondence' [1837-49].

pay'. In 1853 and 1856 he published his *Observations on the characteristic features of Byzantine History*, his essay *On the causes of the rapid conquests of the Ottoman Turks in Europe*, and *The last pages of the history of the last Greek republic* [Cherson], all ultimately utilized in his *History*.¹ But in 1859 he told Sir P. Colquhoun :

I have entirely ceased writing. All my friends in England are dead. The last articles I have written have been rejected. I have been too long away and cannot keep up with public opinion. . . . I live in complete retirement, having given up politics and not having the means of living like other idle men here. As I am now in my sixtieth year, it is no privation.

In 1861 he made an autobiographical confession to Professor Felton, in which this passage, omitted in the published version, appears :

I long thought of publishing Memoirs on the Greek revolution, but felt that, as Tricoupes had written what he calls a history, it was better to write my counter-history. Judge it severely. It deserves no kindness, for it is cold and stern, like the work of a disappointed man. . . . About me personally the world is not likely to care. . . . Alas ! alas ! those duties [of a citizen] were fulfilled in a foreign land among a people, who, whatever they once were, have not yet been able to rise from degeneracy, and in despair of doing them any good in other ways I have become their historian.

But in 1865 he wrote more hopefully : 'The death or the departure from Greece of all my companions who were labouring with the same views have left me for many years the only British Philhellene who joined the Greeks before their cause was countenanced by kings and cabinets. My labours have yielded no harvest ; but surely the seed I have been sowing is good.' If he criticized others he never spared himself. 'Send me', he characteristically asked Blackwoods, 'as many unfavourable reviews of the *History* as you can.' After 1864 his work was mainly as correspondent for *The Times* and in the *Saturday Review*. But in 1866 he published a pamphlet, entitled *Thoughts about the coinage of the Achaian League*, in 1869, in Greek, *Observations on pre-historic Archaeology in Switzerland and Greece*, and in 1870 brought out in Paris an edition (from the manuscript which he had purchased in 1843) of Brue's *Journal de la Campagne . . . en 1715 pour la conquête de la Morée*.

His later correspondence, included in two volumes, containing letters written from 1837 to 1849 and from 1850 to 1866, comprised men eminent in most walks of life. He wrote in those years to Palmerston, Russell, Gladstone, Stratford Canning, Dufferin, Prokesch-Osten (the historian of the Greek insurrection), Acton, Mill, Blackie, R. Stuart Poole, Freeman, Hahn of Albanian, and A. A. Paton of Dalmatian fame. His

¹ ii, ch. i, §§ 1, 2 ; pp. 350-7 ; iii. 475-81.

correspondence with Leake fills an entire letter-case, and some of the topographical information which he imparted, was incorporated by the famous traveller in the second edition of his *Topography of Athens* and in his *Peloponnesiaca* (p. 299). He wrote to his four peers in the realm of medieval Greek history—Fallmerayer (whose Slavonic theory he declared to be a favourite thesis of Otho), Buchon, Ellissen, and Hopf. Among those whose letters to him are preserved are Texier, Buchon (who announced to him on 16 April 1845 his discovery at Brussels of the manuscript of the French version of *The Chronicle of the Morea*), Grote, and Admiral Spratt, the second of the two classic British travellers in Crete. There is a pathetically patriotic letter from Fallmerayer, his predecessor in the obscure maze of Trapezuntine history, dated 19 March 1851. The Tyrolese scholar lamented that his 'former peace of mind' and 'interest in all that concerned Trebizond, Colchis, Sumelas [the famous Trapezuntine monastery, whose history has since been written by Kyriakides], &c., has for ever vanished from his breast under the pressure of the political misfortunes and complete break-up of the German Fatherland'.¹ To the Noels of Euboea there are many letters. One of his most interesting is that to Miss Noel of 29 October 1862, describing the king's deposition:

Otho, as usual, was unable to decide what was to be done. . . . Amalia said he had lost his throne and made her life miserable by his cowardice. If he had been a man he might have assembled troops and recovered his throne. . . . But I for my part believe that, if he had been more of a man, unless he had been a *very able* man, he would have lost his throne long ago. . . . The goats came to our house during the thickest firing and I have not heard that any of them were either killed or wounded. . . . We had two balls in the house.

Finlay's papers are disappointing in one respect, that they never give us a picture of Athenian life in the time of Otho, such as we have from the pen of Queen Amalia's lady-in-waiting, Frl. von Nordenflycht. From his own account he does not seem to have mixed much in local society, although every intellectual Englishman who went to Athens was provided with a letter of introduction to him. If he had occasionally given us a bright picture of what was going on around him, instead of what Tuckerman,² the American minister, in a sketch (against which Finlay in the margin of his copy has written: 'my character') called 'tireless reiterations of Greek national deficiencies', his papers would have been more interesting. That he loved Greece in his own way was true; but he made too few allowances for the

¹ 'Correspondence' [1837-49]; 'Letters' [1850-66]; cases, 'Correspondence I, II', and 'Letters of G. F. to Col. Leake'.

² *The Greeks of To-day*, p. 89.

frailties of human nature, and looked at most things through the spectacles of a twice disappointed man. Not only his own letters but his caustic comments on the margins of other writers' books about Greece show that. He would probably have been a happier man if he had lived in his own country, but medieval and modern Greek studies would have thereby lost one of their ablest exponents.

WILLIAM MILLER.

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Besides his *History*, the following works of Finlay have been published :

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2. *Essai sur les principes de Banque appliqués à l'état actuel de la Grèce*. Athens, 1836. Pp. 28.
3. *The Hellenic Kingdom and the Greek Revolution*. London, 1836. Pp. 115.
4. *Remarks on the topography of Oropia and Diacria*. Athens, 1838. Pp. 39.
5. 'On the battle of Marathon'; 'On the positions of Aphidna and of the Oropian Amphiaræion'. In the *Transactions of the Royal Society of Literature*, III. ii. 363-95. London, 1839. (German translation by S. F. W. Hoffmann in *Die alten Geographen und die alte Geographie*, Heft 2. Leipzig, 1842.)
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8. *Ἐπιστολὴ πρὸς τοὺς Ἀθηναίους*. Athens, 1844. Pp. 18.
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10. *On the site of the Holy Sepulchre*. London, 1847. Pp. 48. (Inserted as appendix to the *History*, I, 455-76.)
11. 'The last pages of the history of the last Greek Republic.' *Literary and Scientific Institute of Malta*. Malta, 1853. Pp. 17. (Largely reproduced in the *History*, II, 350-7.)
12. *Blackwood's Magazine*. Fourteen anonymous articles, published 1842-63, viz. November 1842; September 1843; June 1844; October 1845; May, July, September 1847; May 1850; February, October, November, 1854; May 1861; November, December, 1863. Pp. 231. All but two on Greece. An unpublished article of 1869 on 'The Cretan Insurrection and Hellenism' exists in proof. Pp. 24.
13. 'The political condition and prospects of Greece.' Anonymous article in *The Massachusetts Quarterly Review*. Boston, December 1847. Pp. 34.
14. 'Thoughts about the coinage of the Achaian League.' *The Numismatic Society of London*. London, 1866. Pp. 15. (Greek translation by S. Ch. Argyropoulos in the *Παρῳρα*. Athens, 15 September 1866.)
15. *Παρατηρήσεις ἐπὶ τῆς ἐν Ἑλλάδι προϊστορικῆς ἀρχαιολογίας*. Athens, 1869. Pp. 22.
16. Edition (from the manuscript purchased by Finlay in 1843) of Benjamin Brue, *Journal de la Campagne . . . en 1715 pour la conquête de la Morée*. Paris, 1870.

Notes and Documents

The Date of the Conqueror's Ordinance separating the Ecclesiastical and Lay Courts

IN Dr. Liebermann's careful discussion¹ of the date at which this ordinance was issued the limits 1070-6 are given, though he argues for April 1072 as the probable date. The purpose of the present note is to show that the writ could not well have been issued before this latter date, and that, therefore, the limits must be narrowed to 1072-6. The argument for this view is based on the elaborate record of the trial held to determine what lands should be returned to the abbey of Ely, which had been the centre of the last English revolt led by Hereward. The opening of the document is as follows :

Ad illud placitum quo pontifices Gosfredus et Remigius, consul vero Waltheuus, necnon vicecom[ites] Picotus atque Ilbertus iussu Willelmi Dei dispositione Anglor[um] regis cum omni vicecomitatu sicut rex preceperat, convenerunt. . . .²

The 'Picotus' here mentioned was Picot, sheriff of Cambridge-shire, in which county Ely lay, and the 'Ilbertus' mentioned is Ilbert de Hertford, sheriff of the neighbouring county of Hertfordshire. The question of the date at which this trial took place is of importance. Dr. Round concludes that the trial belongs 'practically' to the years 1072-5. The record refers to the death of the deposed Archbishop Stigand as having already taken place, and, on the basis of a passage in the *Annales de Wintonia*, it is generally held that Stigand lived until 1072, when he died on 22 February. Says the annalist :

MLXXII. Hoc anno Stigandus, qui dudum archiepiscopus, iussu regis captus et in Wintoniae oppido positus est, ubi etsi invitus luit quicquid in archiepiscopatu deliquit. Gravius enim memor amissorum torquebatur quam delectaretur habendo. Ibi demum mortuus, et in ecclesia Wintoniae, cui aliquantulo praefuit tempore, honorifice sepultus est. Dederat autem idem Stigandus ecclesiae Wintoniae maximam crucem cum duabus imaginibus auro et argento optime compositis. Eodem anno pacificatus est rex Scotiae Malcolmus regi Willelmo.³

¹ *Die Gesetze der Angelsachsen*, iii. 274, 275.

² Round, *Feudal England*, p. 460.

³ *Annales Monastici*, ii, ed. H. R. Luard (Rolls Series), pp. 29, 30.

If the accuracy of the unknown scribe who wrote this portion of the *Annales de Wintonia* could be absolutely trusted, there would be no question about dating the Ely trial after the end of February 1072. Unfortunately this is not the case, for, where he can be checked, several slips in dating the deaths of ecclesiastics have been detected.¹ Stubbs, however, accepted this date,² and it should be noted that none of the errors of date made by the annalist affect his statements about Winchester affairs. Indeed, for everything concerning the history of Winchester the chronicle is held to be an original authority of considerable value. It would appear, therefore, that, while its dating of the death of Stigand cannot be accepted with absolute confidence, it is not to be lightly set aside. Combined with the other evidence it would seem to warrant an even stronger statement about the date of the trial than that made by Mr. Round. In all probability the trial could not have taken place before March or April 1072.

If this be the case, an interesting series of conclusions results. In the first place, it follows that Ilbert was in office as late as March or April 1072,³ and accordingly his successor could not at the earliest have assumed office before March of that year. Now Ilbert's successor was Peter de Valoines,⁴ who was one of the three sheriffs to whom the Conqueror's writ was directed.⁵ Hence it follows that the writ itself could not have been issued before March or April 1072. It should be noted, also, that, by thus moving the earlier limit from 1070 to 1072, the possible period for the deprivation of Ilbert and the appointment of Peter, if Dr. Liebermann's dating is to stand, is narrowed to the month of March and part of April, although more usually the change of sheriffs took place at Michaelmas. Under these circumstances, while Dr. Liebermann's argument in favour of Easter 1072 is not invalidated, it is well to emphasize the question-mark which he himself places before his suggested date of April in that year.

CURTIS H. WALKER.

¹ *Ibid.* pp. xxvii, xxix.

² *Registrum Sacrum Anglicanum* (2nd ed.), p. 35. Dr. William Hunt, in his article on Stigand in the *Dict. of Nat. Biog.*, says, 'He appears to have died in 1072, his obit being 22nd February'.

³ Dr. W. A. Morris, in his careful study of the sheriffs of this period, seems to incline to this date. He says, 'About 1072 Ilbert lost the shrievalty of Hertfordshire' (*ante*, xxxiii. 150, n. 43).

⁴ *Victoria County History of Herts.*, i, pp. 303, 304; Davis, *Regesta*, nos. 235, 277.

⁵ The opening lines of the writ, Davis, *Regesta*, no. 93, are as follows: 'Willelmus Dei gratia Rex Anglorum, R. Bainardo et G. de Magnavilla, P. de Valoines, ceterisque meis fidelibus de Essex et de Hertfordschire et de Middelsexe, salutem.' Both Mr. Davis and Dr. Morris, *loc. cit.*, consider that Peter is here addressed as sheriff of Hertfordshire.

Plenus Comitatus

IN his treatment of the county court Professor Maitland suggests the question whether its monthly session was regarded as the regular session for all purposes.¹ He shows the existence in the thirteenth century of a more largely attended *comitatus generalis* or *comitatus magnus* held twice a year, which is apparently a survival of the county court convened at a similar interval in the days of King Edgar and, with the admitted possibility of intervening sessions, also in the time of King Canute and as late as the reign of Henry I. Maitland seems to contemplate a possibility that the process of exacting an absconding offender was carried out only every six months, and that to complete the process of outlawry two and a half years were required. But most of his readers who go no further into the matter will probably assume that the old half-yearly session was more important in administration than the newer one held month by month, and that the former is consequently the *plenus comitatus* in which the king's writs to the sheriff direct that a very considerable amount of business be transacted.

On logical grounds a full county court appears to be contrasted with a session at which attendance was not so full. When in the time of Henry I,² or even in that of Henry II,³ an important case is settled in what is called a *plenus comitatus*, it is natural to assume that this was the more infrequent and more fully attended session. But there is possible a decidedly different explanation of the term, for in the thirteenth century it certainly was used as a designation of the ordinary monthly session.

Evidence of the importance of this latter session from King John's time is convincing. It is unnecessary to go far into the extant coroners' rolls to find that before outlawry is pronounced offenders are demanded at four successive monthly sessions of the county court and are outlawed at the fifth.⁴ If any of these sessions be omitted the justices will impose a heavy amercement on the county.⁵ The Magna Charta of 1215 directs⁶ that certain recognitions be taken four times a year, and specifies that if the volume of business on the day of the county court prevents this, they are to be taken on the next day. The few recorded dates of the *comitatus generalis* which are preserved⁷ occur at different times of the year for different counties. If

¹ Pollock and Maitland, *History of English Law* (1899), i. 538-40.

² *Chron. Monast. Abingdon* (Rolls Series), ii. 117.

³ *Ibid.* ii. 226, 228.

⁴ As in *Select Coroners' Rolls*, ed. Gross, Selden Soc., pp. 2-3, 23, 62-3.

⁵ *Three Northumberland Assize Rolls*, Surtees Soc., p. 315.

⁶ Articles 18-19.

⁷ In Exchequer, L.T.R. Miscellaneous Rolls, bundle 5.

when the king orders all the sheriffs to make some important proclamation *in pleno comitatu*,¹ this means that they are to wait from two to six months before carrying out the order, then the chancery is convicted of deliberately thwarting the king's wishes by a policy of delay. The same is true of writs which order a record to be made *in pleno comitatu* of proceedings which have taken place in the county court.² Moreover, it is possible to find peremptory orders for such general proclamations, demanding compliance within a period which certainly makes it impossible for at least some of the sheriffs to wait for the date of the semi-annual session.³ The whole force of circumstances shows that when the chancery, as it constantly does, issues writs to sheriffs by which they are directed to do this or that *in pleno comitatu*, compliance at any session is acceptable, and indeed is often demanded.

But is it possible that an ordinary monthly session of the county was so termed when there was a session with a fuller attendance every six months? In the first place, little is known of this *comitatus generalis* of the thirteenth century beyond the fact that certain persons were required to attend who did not come at other times. That its business was different from that of the other sessions never appears. More than this, the usual monthly session seems to have stood out in obvious contrast to the one which the justices were permitted to hold on the following day to take recognitions concerning possessory assizes, retaining only so many knights and freeholders as were necessary for the purpose. The identical article of the Great Charter which provides for this session of the second day was inserted in the reissue of this document in 1216,⁴ but it was altered in those of 1217 and 1225. Yet it appears that the sheriff, perhaps informally, transacted some business on this day.⁵ The usual session of the county might be considered a *plenus comitatus* when contrasted with what followed it the next day. This latter gathering, so it would seem, was quite the rule in the time of Edward I, not merely on days following four of the county courts of the year, but after all. A provision of the Statute of Westminster, in order to make the sheriff duly accountable for the execution of writs, directed that

¹ As in Close Rolls, 1231-4, fos. 309-10, for example.

² Bracton, *De Legibus* (Rolls Ser.), ii. 504. Further proceedings in the king's courts depend on this record.

³ Thus (according to *Cal. of Close Rolls, 1302-7*, pp. 86-7) on 16 April 1303 sheriffs are ordered to have proclamation made at once in full county court regarding military claims of the king. A response from those concerned is expected in some counties by the morrow of Ascension (24 May) and in others by the morrow of Trinity (10 June).

⁴ Article 14.

⁵ In 1222 the county court of Oxfordshire was unwilling to declare in default one of the principals to proceedings under a writ of right who appeared on the day following the session (*Bracton's Note Book*, ed. Maitland, no. 212).

these be presented either in the *comitatus* or the *retrocomitatus*.¹ An explanation of the latter term is found in *Fleta*, where it is said that both original and judicial writs are to be delivered *in pleno comitatu, vel saltem in crastino die post comitatum, qui quidem dicitur Retrocomitatus, in quo sit collecta denarii Regis*.² Here one sees that the ordinary session of the county was a *plenus comitatus*; that on the following day at what was known as the *retrocomitatus* writs might be presented to the sheriff or his clerk and debts due to the king regularly collected; also that the latter stood in men's minds in contrast to the former,³ which was far the more important occasion.

In conclusion, it is interesting to inquire just what is the significance of the adjective *plenus* when used to describe a court. Transactions in the eyre are said to have taken place *in plena curia*.⁴ This designation might also be applied to the hundred.⁵ Professor Pollard⁶ has dealt with the case of the *plenum parliamentum*. There is every reason to believe that his conclusion regarding it holds here, and that '*plenus* refers to the publicity of proceedings rather than the fullness of attendance'. The litigant preferred that everything pertaining to his cause be done, if possible, in the public open session rather than at an informal group the day following. But the day of the *retrocomitatus*, when a few witnesses were available, was for his purpose preferable to another day, when the sheriff's clerk would be the only witness. What he desired was publicity, for in the county court formal record was based on the memory of those present. It made far less practical difference whether the proceedings were held at the usual monthly meeting or the meeting with a somewhat larger attendance. The objective is the same whether the king's writ orders the sheriff to take an inquest *in pleno comitatu*, to have a newly issued charter read, to make a proclamation, or to cause a verderer or coroner to be elected. It is the advantage of publication of public procedure, of the safeguard of a numerous body of witnesses, which is sought in hundreds of cases wherein the king's writs direct action in such a body. Proceedings in open court attain the desired end without the necessity of delaying months for a particular session. The *plenus comitatus* is the open county court attended by those who are customarily under the obligation to be present.

WILLIAM A. MORRIS.

¹ *Statutes of the Realm*, i. 90 (cap. 39).

² *Fleta*, liber ii, cap. 67, sec. 18.

³ In *Select Coroners' Rolls*, p. 4, it seems to be contrasted with the coroner's inquest.

⁴ As in Assize Roll 8, Bedford, 4 Edward I, m. 40.

⁵ Directions for a proclamation in a hundred are accompanied by the marginal annotation, *proclametur in plen* (Court Roll, 18/75, m. 7, 19 Edward I). The writer owes this reference to the kindness of Miss Cam.

⁶ *Supra*, xxx. 660-2.

*A National Balance Sheet for 1362-3, with documents
subsidiary thereto*

THE archives of the exchequer, preserved in the Public Record Office, contain an enormous mass of material for the study of the finances of the English state in the later middle ages. These have often been partially examined for various purposes, and innumerable details as to the items of revenue and expenditure have been extracted from them. But until the exchequer records have been submitted to the same process of calendaring which has, during the last generation, been applied to the rolls of chancery, the student is beset with extraordinary difficulties if he attempts to answer the fundamental question—what was the approximate revenue and what the approximate expenses of any one year? The attempts made in this direction have not been very happy. Stubbs's excursions into finance are perhaps the least successful parts of his great book, and Sir James Ramsay's systematic work on the Issue and Receipt Rolls, though smoothing the path for future inquiries, cannot be accepted as ultimate. Indeed, it seems impossible to obtain from the Issue and Receipt Rolls a satisfactory answer to our question. In all sorts of ways their interpretation depends on a rigid and imperfectly understood technique. Their totals are book-keeping totals, not actual totals. They include, for instance, on the one side, sums received from loans and bankers' advances, and the repayment of the same. Such entries are in no case annual assets or charges. They also include other purely book-keeping transactions, such as the conversion of a debt, when it could not be collected, into a loan from the person by whom it was owed. The arithmetic of such totals as were added up by the clerks composing the roll is so often faulty that it is clear that no stress was laid upon its accuracy. Their function was to record receipts and issues—many of both nominal, not actual—day by day as they occurred. The notion of affording a balance sheet of the year was entirely absent from the minds of the officials who drew up Issue and Receipt Rolls. We must seek elsewhere if we would find general statements of aggregate actual revenue and expenditure.

Yet it is only natural to suppose that the exchequer itself must have found it convenient to draw up, occasionally, if not regularly, both an estimate of forthcoming revenue and expenses and a summary of them for a past year. We are not, indeed, aware that any such documents have either been described or published. It is certain, nevertheless, that the need was felt and met on one occasion so early as the reign of Edward I, for Miss

Mabel Mills has pointed out to us an undated membrane, which she believes to belong to the period *c.* 1284. This includes a group of issues received by the exchequer from various sources, and may well be an early attempt to estimate royal revenue.¹ The need for such estimates, or budgets, became more stringent when Edward III undertook the huge financial burdens involved in the prosecution of his claim to the French throne. Accordingly, at the very outset of his troubles, the king took provision to this effect in the remarkable ordinances, issued at Walton on 12 July 1338, on the eve of his first departure for the Netherlands. In one of the clauses of this curiously neglected document, Edward III expressly bade the treasurer inquire into the extent of the king's debts and liabilities, and estimate the revenue necessary to meet them and to enable the king to 'maintain his estate'.² Whether or not this mandate was at once and thereafter obeyed, there is at present no evidence to show. It is possible that this provision simply put into writing what had already become part of exchequer custom, or it may be that we have here the beginning of a policy which led to the preparation of rough drafts of annual income and expenditure and finally to the drawing up of something approaching the modern budget. Until recently, no proof was known to exist that such has ever been done in the fourteenth century.

Accident has recently revealed to us three documents in the exchequer archives which suggest that, if this direction was apparently disregarded during the period of war between 1338 and 1360, serious attempts were made to draw up a summary or estimate of revenue and expenses during at least one year, not long after the conclusion of the treaties of Brétigny and Calais. These documents are at the moment classified under three different categories, one among the records of the exchequer of receipt, and the other two among those of the exchequer of accounts. The former document is styled Issue Roll, Supplementary, E. 403/1327, but whatever it may be it is clearly not an issue roll. With our present information it seems impossible to determine which particular officials or office drew up any of these memoranda. They contain no hint suggesting by whom they were prepared, and may indeed be the work of almost any one

¹ This document is in Exchequer Miscellanea, K. R. 1/23. As Miss Mills proposes to deal with it later in detail, it is not desirable to speak of it further now, but we are much indebted to her for kindly bringing it before our notice.

² *Foedera*, II. ii. 1050. 'Item, regarde le grant tresorer combien le roi deit as diuers grantz marchantz generalment a chescun, et des autres grantz dettes, et combien le roi ad desore prest a leuer de soi acquiter et maintenir son estat par estimation, et certifie au roi.' The useful marginal headings of the ordinances in Chancery Warrants 248/11238 B paraphrase this as follows: 'De savoir en quel estat le roi est des dettes qil doit, et da tresor qilad.'

or any number of the clerks. Of course the treasurer was ultimately responsible, but it is not unlikely that the engrosser and the remembrancers in the exchequer of accounts, and the treasurer's clerk in the exchequer of receipt, prepared the data under his supervision. Probably it was necessary to consult all the chief exchequer and household rolls and books. Some of the items are obviously estimates and averages, based on more detailed statistics; others doubtless represent real sums spent.

The so-called Issue Roll, Supplementary, E. 403/1327, is a straightforward list of expenses only, without title and undated. The manuscript Public Record Office list suggests as its approximate date 30-33 Edward III. But it cannot be earlier than the 'exchequer year' 32 Edward III (Michaelmas 1357—Michaelmas 1358) because it mentions Queen Isabella as dead, and she did not die until 23 August 1358. Nor could it well be for a year later than 36 Edward III (Michaelmas 1361—Michaelmas 1362), because it calls Lionel of Antwerp earl of Ulster and on 13 November 1362 he was created duke of Clarence. The latest wardrobe keeper mentioned is Walton, who accounted from December 1358 to November 1359. Walton probably had not time to present his account when this list of expenses was made, a fact which would explain the comparatively small sums it records as paid to him. Further, the document mentions Roger, earl of March, as still alive, and he died on 26 February 1360. Having regard to all these conflicting circumstances, we are inclined to suggest, under all reserves, that 33 Edward III (Michaelmas 1358—Michaelmas 1359) is the earliest possible date of its compilation. The two subsequent years, 34 and 35 Edward III, cannot, however, be excluded.

The above arguments refer only to the date of the compilation of the list, for it is certain that the list is not a record of any single year's expenses. The enormous total of £275,356 11s. 10½d. makes it certain that the list covers not one year's expenses but several. This total is not given in the document, but is the result of our own addition. Examination of the items fully confirms this view. It may well possibly be a record of the three years (1360-3) during which Simon Langham was treasurer. Thus £17,840 were received on account of the fixed payment of 10,000 marks a year to the king for his chamber, representing nearly three years' chamber income on this account. As this payment began in Michaelmas term 1355-6,¹ so much chamber revenue from this source could not have accrued much before the end of 1359. The great wardrobe received £15,222 19s. 5½d.,

¹ The Issue Rolls always record payments on this account as 'per breue de priuato sigillo inter mandata termini sancti Michaelis anno xxx°' (Issue Roll, no. 413).

though its normal annual receipt from the exchequer never reached £9,000 for any recorded year up to the date of the compilation of this list, and was generally much lower. However, both the date of the compilation of this document and the period which it covers are but partially relevant to our purpose. Its interest to us is that it seems the first attempt in a series of efforts to impress on parliament and public opinion the enormous sums of money which the king was compelled to disburse and the absolute impossibility of meeting such expenditure, save by special grants on a scale comparable to the grants made avowedly for the conduct of the war. We are inclined to think that it was drafted earlier, but not much earlier, than the rest of the material under review. As it stands in little direct relation to the other documents we have printed it last as no. C.

The vital documents for us are those contained in Exchequer Accounts E. 101/394/17. This is a file of six membranes of varying size, each with the dorse left blank. We have in the first place printed such parts of them as seemed relevant first as nos. A I and II, marking the successive membranes as nos. 1-6 respectively. By far the most illuminating of them is contained in no. A I, which puts into type membrane 1. This is of extreme interest, as presenting the first attempt with which we are acquainted at drafting a summary balance sheet of national revenue and expenditure for a definite financial year, namely, the 'exchequer year' 37 Edward III, extending from Michaelmas 1362 to Michaelmas 1363. It cannot, however, be described as a complete success. It contains on the face of it several serious errors. It gives the gross normal revenue from sheriffs and farms as 9,687 marks 5s. 5d., and the assignments therefrom as 5,552 marks 8s. 4d. Assuming these figures to be correct, the sum remaining should be 4,134 marks 10s. 5d. and not 3,984 marks 10s. 5d. as the document says. This error of 150 marks too little is repeated in the total income, which, given as 53,294 marks 10s. 5d., should be 53,444 marks 10s. 5d. Either the mistake was occasioned by this miscalculation, or else the wrong figures have been put down for one or both of the first two sums. Moreover, the detailed expenses do not balance the given total of expenses, but fall short of it by 13,615 marks 12s. 2d. This is, however, explainable by the details being probably limited to the chief sources of expense, the minor expenses being ignored, though lumped together to make the total. Clearly, in face of these discrepancies, the accuracy of the deficit given is open to question. But whatever the deficit was, it discloses a very alarming state of the finances of the exchequer. An apparent adverse balance of 82,896 marks 1s. 9d., or £55,264 1s. 9d., a sum largely in excess of the year's revenue, is

strangely reminiscent of some modern post-war budgets. Again, many of the sums of membrane 1 differ from those of the next four membranes, and these again from another estimate which we will consider later.

To appreciate this last statement we must turn to membranes 2, 3, 4, and 5. These are in each case memoranda of the king's expenses for the thirty-seventh year. It has been thought sufficient to print membrane 2 as typical of the group. As membranes 3-5 are mere variants of membrane 2, it has not been thought necessary to print them *in extenso*, though their discrepancies with membrane 2 have been recorded in the notes. This section of our texts has been accordingly numbered no. A II. Meticulous scrutiny of these variants leads once more to disquieting results. The differences between them are very considerable. It looks as if the difficulties of making such estimates weighed as heavily on the contemporary exchequer clerks as they do on the modern historian. The only explanation that we can suggest is that each membrane represents a separate effort on the part of different clerks to make independently a detailed list. The variety of their conclusions shows the impossibility of their task. If, as is likely, the short balance sheet on membrane 1 was based upon these conflicting documents, we have an easy explanation of some of the errors in it which we have already noted.

No. 6 membrane of the series, also printed by us, and numbered A III, belongs to a different type. It presents a detailed list of expenses and receipts for the first year of the treasurership of John Barnet, bishop of Worcester, who was appointed treasurer on 19 February 1363, and entered office the next day.¹ It looks as if Barnet were the new broom which strove to sweep clean the stables of the exchequer. The officials busied on the task had, we may imagine, begun after the exchequer custom to draw up their summaries for the complete exchequer year. As their difficulties forced themselves on the new treasurer's attention, he may well have resolved to disclaim responsibility for what went on in the times of his predecessor, Simon Langham, bishop of Ely, and to start afresh with his own period of office. The result was a second balance sheet for the period 20 February 1363 to 19 February 1364, which begins earlier and goes on later than the attempt on membrane 1 to draw up a balance sheet from 30 September 1362 to 29 September 1363. Discrepancies between two balance sheets, which have only seven months in common, are naturally to be looked for and need no explanation. We dare not suggest which of the two documents is the more trustworthy. But the Barnet account records the payment of £100,298 3s. 9d., a receipt of £35,529 6s. 8d., and an adverse

¹ *Cal. of Pat. Rolls, 1361-4*, p. 316; *Memoranda Roll, K.R.*, no. 139.

balance of £64,768 17s. 1d., a sum that exceeds the corresponding deficit in A I.

We now come to our third document, found in Exchequer Miscellanea, K.R. 5/20, which we print as no. B. This consists of only one membrane undated, with the dorse left blank. We know that it cannot be earlier than 37 Edward III, because it was compiled after the reorganization of Queen Philippa's finances, which was effected by a writ of 8 February 1363,¹ just before Barnet became treasurer. This reorganization was occasioned by the overwhelming amount of debt in which the queen was involved, the repayment of which was beyond her resources. It involved very drastic changes. By it the queen's separate household establishment was merged into that of her husband. All its revenues were set aside for the payment of her debts, except for £10 a day, contributed by her towards the expenses of the joint household of the king and queen, and except also 4,000 marks a year to be delivered to the queen for the expenses of her chamber, that is substantially for her privy purse. This arrangement was to last for six years; soon after the expiration of this term Philippa died in 1369. This fixes the extreme later limit of its date. We incline, however, to think that it belongs to the same exchequer year 1362-3 to which appertain the other records we have dealt with. Our chief reason is that only £1,756 19s. 2d. are recorded as 'taken by the queen at the exchequer'. This sum must be the partial payment on account of the 4,000 marks a year for the queen's chamber, authorized on 8 February 1363. Now since 4,000 marks amount, of course, to £2,666 13s. 4d. a year, the figure of £1,756 19s. 2d. would roughly correspond to the sum due to the queen between 8 February and 28 September 1363, and exactly the right amount, if we assume that it took nearly a week before the writ became operative. This is not the only evidence which suggests that this document makes a nearer approach to accuracy than some of its fellows.

The details of the expenses summarized in the memorandum deserve a word of remark. It is clear from them that they normally deal with the disbursements of one particular year. Many of the headings read like the *tituli* of a wardrobe account, *hospicium*, *eleemosina*, *dona*, *nuncii*, *vadia falconariorum et putura canum*, and their like. But to these are added the cost of the chamber of the king and queen, the great wardrobe and other minor wardrobes, so that it is a household account as in the days before 1323, when the whole household expenses were contained in a single account. And to these are added other expenses that are not of a domestic character at all. It is, therefore,

¹ *Cal. of Pat. Rolls, 1361-4*, p. 306; *Foedera*, iii. 687.

clearly an attempt at the synthesis of all expenses accountable through the exchequer, and illustrates the remarkable way in which the exchequer had established itself as the ultimate controller of the whole sphere of national and domestic finance.

Not less illuminating is the title of the document. It assumes that there is an obligation to draw up such a memorandum of the king's expenses in times of peace. This strongly suggests that the compilation of all these competing efforts is due to no mere following of the obsolete Walton ordinances, but is the result of some special, though unrecorded, provision made after the treaty of Calais.

Another feature of the document is that, though it gives few details, it drives home the essential moral of a great deficit in the few concluding items, which wisely ignore details and only state lump sums. There is an annual expenditure of £66,666 13s. 4d. To meet this the 'hereditary revenue', the 'king's own', only amounts to £10,000. To this the ordinary customs add another £30,000. But this annual revenue of £40,000 will not meet the annual expenditure of £66,666 13s. 4d. This deficit of £26,666 13s. 4d. is a much more conservative estimate than that given in the damning figures of any of the versions of A. It may well be the difference between a statement of actual revenue received and a budget forecast for the succeeding year, based upon the strictest economy. It may equally well be a final and more precise statement as to the real situation. Whichever view is taken, the moral is the same. The king has had to pay very much more away than he has received. He can only 'maintain his estate' if ample additional supplies were forthcoming.

The question still remains why all other such drafts should have disappeared, while half a dozen competitive attempts to carry out the injunction, old or new, should have been made in this particular thirty-seventh year. A possible explanation may be that the condition of national finance, with its huge annual deficit, at the end of a prolonged period of war with France, may well have frightened the exchequer to the verge of panic. How to carry on at all in such circumstances was a sufficiently heavy task; but there was, in addition, this other difficulty that the baronage and parliament were profoundly convinced that extraordinary taxation was a thing for war-time only, and that in times of peace the king must 'live of his own', and make his hereditary revenue balance his ordinary expenditure. The proceedings of the parliament of 1362, which reluctantly granted a special supply for three years, may well have made clear the extent of the exchequer's difficulty. A new parliament would require concrete evidence that money was urgently needed,

before it could be induced to make substantial grants. What more natural, then, than that the exchequer should put into effective operation machinery that ought to have been working for a quarter of a century? The results may not satisfy either a medieval or a modern auditor or accountant; but they were sufficient to show that there was a great gulf between expenditure and revenue. Anyhow parliament, when in 1365 it made the first extraordinary supply since 1362, seems to have been convinced by the facts sufficiently to double the expiring subsidy on wools which had been granted for three years in the earlier year. Whether it was cognizant of any of these documents, we have no means of knowing. It may be that it is only by accident that the balance sheet of this one year survives; but we have searched in vain for similar statements through the relevant calendars of Chancery Rolls and delved with no result into the chaotic mass of material contained in the Memoranda Rolls of the exchequer. It is impossible to prove a negative, and more concrete evidence may some day appear. We may still cherish the belief that on other occasions also the exchequer may have regularly summarized and balanced its finances. If so, we must assume, as is not impossible, that it as regularly destroyed its efforts when it had no further use for them. This is particularly likely to have been the case if, as is not unlikely, the primary reason for constructing such a synopsis was to guide officials from the experience of the past into making better estimates for the future. However this may be, we may still rejoice in our little find as showing that in the years of peace the exchequer of Edward III made efforts towards what may, in modern phrase, be called a balance sheet, and that this balance sheet had in it elements that approximated both to the budget and to the civil list of a much later stage of financial history.

To comment upon the items of our documents would demand more space than can be reasonably asked for. It is, however, desirable to emphasize briefly a few points. We must note the extraordinary low level to which the ancient revenues from the shires, accounted for by the sheriffs, had fallen; and that the customs, and the customs only, were the mainstay of national finance. One cause of the decline of net income was the enormous development of the pernicious process of 'assignment', by which, all through the period of war, the Crown had sought to stave off present disaster by imposing severe penalties upon the future. Another moral is one that needs no enforcement nowadays, the moral namely that the financial burden of a war does not by any means end with the peace, especially with a peace that is nominal rather than real. Equally appropriate to our present situation is the evidence that the Edwardian exchequer hoped to make

up for its deficit by the 'ransoms of France and Burgundy', the fourteenth-century equivalent of reparations; and that its hope proved delusive. A more specific point to notice is the unexpected result of the establishment of the staple and 'exchange' at Calais in reducing to insignificance the profits of the mint and exchange of the Tower of London.

It only remains to explain how we have prepared our documents for the press. We have substantially printed them as they are in the manuscripts, but we have generally used punctuation and capitals after the modern fashion. We have also, for reasons of both typography and convenience, substituted arabic figures for the cumbrous Roman numerals of the original. In a few cases we have added up sums that have not been calculated in the original. Such additions have been in each case put within square brackets. The notes to the documents are, so far as practicable, limited to textual points and, in the case of A II, to variant readings in the different versions of the various attempts to summarize the expenses of 1362-3. If the exchequer itself was then unable to produce accurate results, there is not much chance that we moderns will do any better. But the publication of their efforts will perhaps be worth while, if only to discourage attempts to estimate the financial position of the country by balancing the book-totals of the Issue and Receipt Rolls.

T. F. TOUT.

DOROTHY M. BROOME.

A I. A NATIONAL BALANCE SHEET FOR 1362-3

Exchequer Accounts, E. 101/394/17, membrane 1¹

Les reuenues et despens nostre seignour le roi en lan xxxvij ^{me}		
Viscountez, fermes et aultres reuenuez	}	9687. marz. 5s. 5d. dount assignez
Dengleterre, par leschequer amountent par an		
	en gages et feez	5552. marz. 8s. 4d.
	Et remeignent au roi de cler	3984. marz. 10s. 5d. ²
Item les custumez et subsidies de leynes en touz	}	57,310. marz. dount sont
les portz Dengleterre amontent par an		
	assignez	10,400. marz.
	Et remeignent au roi de cler	46,910. marz.
Le hanaper en la chauncellerie amonte	}	3400. marz. dount assignez au
par an		
	chaunceller et aultres	1000. marz.
	Et remeynt au roi de cler	2400. marz.
La somme totale qe remeynt		53,294. marz. 10s. 5d. ²

¹ This membrane is 9½ inches long and 12½ inches wide.

² For error in addition see above, p. 407.

Les despensez del an } passe amountent }	136,190. marz. 12s. 2d. ¹	dout pur la chaumbre	10,000. marz.
		pur lostiell' et garderobe	40,000. marz.
		pur les ouereignez et plomb	25,000. marz.
		pur Gascoigne et Irland'	22,500. marz.
		feoz grantez par patentz	9675. marz.
		pur Caley's et aultres chas- tel'	6035. marz.
		pur gages de gerre, vitaillez, gagez de peez et robes	
		par billes	8365. marz.
		Et issint amoute la somme des paiementz outre la somme receu	82,896. marz. 1s. 9d. ²
		Et fait remembrer leschaunge de la tour nest forsque de petit value cest an par cause de Caley's. ³	

A II (2-5). VARIOUS ESTIMATES OF EXPENSES FOR 1362-3

Exchequer Accounts, E. 101/394/17, membranes 2, 3, 4, 5⁴

La remembrance de les despens nostre seignour le roi, del fest de
seint Michel, lan xxxvij^e, tanqe a mesme le fest prochein ensuant, par
vn an entier.⁵

cestassauoire.⁶

A nostre seignour le roi pur sa chaumbre . . . 10,000. marz.

A ma dame la roigne de ceo qele prent a leschequer.⁷ £1756. 19. 2d.⁸ Pur despens del hostiel le roi . . . £11,994. 0. 7d.⁹

¹ The true addition of the details seems to be 121,575 marks; the difference of 14,615 marks 12s. 2d. too much is accountable probably by the roll omitting minor details of expense.

² For error of 150 marks see above, p. 407. The true total, taking both errors into account, seems 68,130 marks 9s. 7d.

³ The staple at Calais was petitioned for by the parliament of 1362, 13 October—11 November. A decree in council of February 1363 fixed the staple at Calais. See Unwin, *Finance and Trade under Edward III.*

⁴ The text is from membrane 2. Membranes 3, 4, and 5 differ from membrane 2 only in the points indicated in the foot-notes below. The respective sizes of the four membranes are: 31½ inches × 13½ inches, 29½ inches × 13½ inches, 19½ inches × 13½ inches, 30½ inches × 13½ inches.

⁵ In membrane 4 the heading is: 'La remembrance des paiementz faitz en la receite de leschequier del feste de seint Michel, lan xxxvij^e, tanqe a mesme le fest prochein ensuant, par vn an entier.'

⁶ In membrane 5 written 'cest assauoir', and omitted from membrane 3.

⁷ In membrane 4 this entry reads: 'A ma dame la roigne de ses certains et dapprest,'; this has also been written first of all in membrane 5, but the words 'ses certains et dapprest' are lined through, and the words 'ceo qele prent a leschequier' written above.

⁸ In membrane 5 the third entry is: 'Au . . . duc de Lancastre dapprest' £4000.'

⁹ In membrane 4 the amount is £10,994 0s. 7d.

Pur la graunde garderobe	£8000., dount pur la liuere £2000. ¹
² Pur loffice de la botillarie	£6700., ³ dont { 10. pipes de vyn douce. 800. tonelx de vyn de Gascoigne. 12. pipes de vyn de Ryne.
Pur les ouereignes le roi et acat de plomb	£14,312. 19s. ⁴
Pur le prince et le conte de Warr' vers Gascoigne pur lour longe demure en Engleterre ⁵	£2662. 6. 8d.
Pur gages de guerre vers Irland'	£7504. 12. 10d.
Pur gages des mariners et seriantz darmes pur le viage le prince et vers Irland'	£4091. 2. 4d.
Pur Caley, Douorre, Berewyk', Rokesburgh' et autres chasteux le roi	£4023. 6. 8d.
Pur feez et gages grauntez par patentes as diuerses gentz as termes de lour vies ⁶	£6450. 5. 5½d.
Pur feez des justices, barons et autres ministres	£1761. 5s.
Pur messageries vers la court, et aillours pardela et vers Caley pur les houstages	£1751. 6. 7d.
Pur gages de guerre, vitailles, gages et robes par billes, Buk', Walton', Farle, Feriby et Neubury. ⁷	£5594. 10. 3d.
Pur freres et autre aumoignerye	£497. 7. 8d.
Pur le counte de Cantebr', le conte de Pembr', et la duchesse de Bretagne	£316. 6. 8d.
Pur douns as estraunges et denzeins	£866. 17. 4d.
⁸ Pur vessel dargent, terres et ioialx achatez	£4068. 13. 11d.
Pur prisoners nadgaires achatez al oepe le roi	£600.
Pur destrers ⁹ et autres chiuaux achatez	£690.
Pur dettes la roigne Descoce	£280. 13. 4d.
Comme messagerie, acat de parchemyn, et autres meneutz paiementz	£204. 12. ½d. ¹⁰
Item sont assignez par patentz apprendre annuelment des issues des custumes et subsides	£6300.

¹ 'dount pur la liuere £2000.' is omitted by membrane 4.

² This entry is lower down the list in membrane 5.

³ Membrane 4 omits this further note.

⁴ In membrane 4 the amount is £14,212. 19s.

⁵ The phrase 'pur lour longe demure en Engleterre' is omitted from membranes 3, 4, 5.

⁶ Membrane 4 omits the phrase 'as diuerses gentz as termes de lour vies'.

⁷ 'Newbury' in membrane 3.

⁸ Membrane 4 combines this entry with the one immediately following, viz. 'Pur prisoners, vessel dargent, terres et vne corone achatez £2668. 13. 11d.' It will be seen that the totals of these two items are not the same, as it might have been supposed they would be. The entry on membrane 5 was first written in this way, but the words 'Pur prisoners' and 'vne corone' are lined through, thus leaving the entry as in membrane 2.

⁹ Membrane 3 'destrers'.

¹⁰ Membrane 4 ends at this point, before the list of expenses as given in membranes 2, 3, and 5 is completed, and makes no mention of the sources of income.

Item sont paieiz pur deniers appromtez,¹ deuant le

temps susdit £1835. 12s.

La somme totale £98,929. 10. 10d.²

Et fait aremembrer qe les custumes Dengleterre
amontont par lan susdit entour . . . £38,000.

3 { Item viscounteez, fermes, le haniper, les es-
chaunges et touz autres reuenues Dengleterre
en leschequer amontont en mesme lan par
eyme, outre les assignementz faitz par
patentes de la chauncellerie de les ditz
reuenues, et gages des venours et fauconers £4254. 13. 4d.

La somme £42,254. 13. 4d.

4 { Et issint les despens passent la
receite en lan susdit par . . . £56,674. 17. 6d. qe sont receuz
et paieiz de les raunceons de
France et de Burgoyne et⁵ les
reuenues de Pountyf⁶ et Caleys.

⁶ Item les gages des venours, fauconers, puture des faucons et chiens
assignez sur mesmes les countees.

Item des fermes, wardes, et mariages assignez a ma dame la roigne,
ma dame Isabelle et autres seignours et chiualers.⁷

qe sont receuz et paieiz de les
raunceons de France et de
Burgoyne et⁵

A III. EXPENSES UNDER TREASURER BARNET 20 FEBRUARY 1363— 20 FEBRUARY 1364

Exchequer Accounts, E. 101/394/17, membrane 6^a

La remembraunce des deniers paieiz a la receite pur les despens nostre
seignour le roi del xx^e. iour de Feuerer lan xxxvij^e, qeu iour leuesqe de
Wircestre receuit son office, tanqe a meisme le iour lan xxxvij^e. par vn
an entier

cestassauoir

A nostre seignour le roi pur sa chaumbre . . . 7500. marz.

Item au chaumbre le roi pur diuers apprestez . . £812. 10s.

A ma dame la roine de ceo qe le prent a leschequier
et pur acquiter ses dettes . . . £2092. 0. 2d.

¹ Membrane 3 'appromtez'.

² This total seems correct.

³ This passage is omitted from membranes 3, 5.

⁴ This passage is omitted from membrane 3.

⁵ The words 'qe sont . . . Burgoyne et' are carelessly repeated on membrane 2
only four lines later, after 'seignours et chiualers'.

⁶ In membranes 3, 5 there is inserted before this passage: 'Item fait a remembrer
qe des issues de counte', outre les sommes susdit, sont assignez as diuerses gentz par
patentz a terme de lour vie.'

⁷ In membranes 3, 5 there is inserted this passage: 'Item fait aremembrer des
deniers apprestez a prince, duc de Lancastre, duc de Bretagne et autres, dount restitu-
cion sera fait.'

^a This membrane is 22½ inches long and 13 inches wide.

Pur despens del hostiel le roi	£12,708. 12. 1d.
Pur la graunde garderobe	£8692. 10. 7d.
Pur loffice de la botillarie	£5000.
Pur les ouereignes le roi et acat de plumb	£15,378.
Pur le prince et le count de Warr' vers Gascoigne	£2452.
Pur gages de guerre vers Irlande	£12,688. 10. 9½d.
Pur gages des mariners et sergeantz darmes pur le viage le prince et vers Irlande	£2045. 8. 3d.
Pur Caleys Douere, Berewyk' Rokesburgh' et autres chasteux le roi	£3890. 11. 3d.
Pur feez et gages grauntez par patentes as diuerses gentz estraunges et denzeins as termies de lour vies	£7170. 13. 4d.
Pur feez des justices, barons et autres ministres	£1554. 16. 2½d.
Pur messageries vers la court et aillours pardela et vers Caleys pur les houstages	£3345. 14. 3½d.
Pur gages de guerre vitailles et robes par billes Bukyngham, Walton', Farle, Feriby, Neubury et autres	£6309. 10. 3½d.
Pur freres et autres aumoignery	£572. 19. 2d.
Pur le count de Cantebr', le counte de Pembr' et la duchesse de Bretaigne	£181. 6. 8d.
Pur douns as estraunges et denzeins et regard' des customers	£1170. 0. 4½d.
Pur vessel dargent, terres, ioialx, destrers et autres chiuaux achatez	£5623. 9. 1d.
Pur prisoners nadgairs achatez al oepe le roi	£300.
Pur dettes la roine Descoco	£159. 12s.
Comune ¹ messagerie, acat de parchemyn et autres meneutz paiementz	£184. 4. 10½d.
Item diuers paieiz a les Escoco en moneye et enpris de vessell' dargent.	£1130. 2. 4d.
Item sount paieiz pur deniers appromptez deuant le temps susdit	£1835. 12s.
La somme totale paie par vn an entier	£100,298. 3. 9d.
Et fait a remembrer qe les custumes Dengleterre amountent par vn an 57,310. marz. dount 10,400. marz. assignez a ma dame la roigne et autres par patentez	46,910. marz.
Item viscounteez, fermes, le haneper, les eschaun- ges, et touz autres reuenues par leschequier, amountent par vn an par eyne, outre les assigne- mentez faitz par patent' et gages des venours et fauconers	6384. marz.
La somme	53,294. marz. ²

¹ The manuscript reading is 'cōe'; the extension to 'come' seems forbidden by the corresponding item on B. See later, p. 417.

² This makes the deficit of the year £84,768 17s. 1d. The additions on this membrane seem all correct.

B. ANOTHER VERSION OF THE EXPENSES OF 1362-3

Exchequer Miscellanea, K.R. 5/20¹

La remembrance de les despens nostre seignour le roi qe enbusoignent annuellement estre faitz en temps de pees, come piert espressement par les parcelles southescriptz.

A nostre seignour le roi pur les despens de sa chaumbre	10,000. marz.
A ma dame la roigne de ceo qele prent a leschequier	£1756. 19. 2d.
Pur les despens del hostiel le roi, oue la butillarie et la garderobe, outre les £10. iournalx quex sount paieez par ma dame la roigne	£8666. 13. 4d.
Pur la graunde garderobe oue la liuere le roi	£4000.
Pur feez et douns annuels de la butillarie	1000. marz.
Pur les ouereignes le roi et reparacion' de ses manoirs et chasteux	£5000.
Pur gages de guerre pur Irland'	£4000.
Pur Caley, Douorre, Berewyk', Rokesburgh' et autres chasteux le roi	£4003. 14. 4d.
Pur feez et gages grauntez par patentz as diuerses gentz a terme de lour vie par eyme	£13,000.
Pur feez des justices, barons et autres ministres	£1761. 5s.
Pur diuerses messages vers les parties de dela	£1000.
Pur freres et autre aumoignerye	£497.
Pur la duchesse de Bretaigne et sa file	£300.
Pur douns as estraunges et denzeins	£1000.
Pur destrers et autres chiuaux achatez al oeps le roi	1000. marz.
Pur comune ² messagerie, acat de parchemyn et autres menues paiementz	£214. 8. 2d.
Pur gages des venours, fauconers et puture de chiens	£500.
Item sount assignez par patentz apprendre annuellement des issues des custumes et subsidies	£6300. ³
Item pur dettes dues as diuerses gentz pur vitailles, gages et robes du temps de diuerses garderobers	10,000. marz.
La somme totale	100,000. marz.

Et fait a remebrer [*sic*] qe les viscountez, fermes, le hanaper, les eschaunges, loffice du clerc du marcat' et touz autres reuenues par leschequier amountent par an enuiron

Item les custumes des leins en touz les portz Dengleterre

La somme

Et ensi passent les despens les reuenues susditz

¹ The membrane is 18 inches long and 12½ inches wide.

² MS. 'cœ'. See note 1 on previous page.

³ This also is the sum given in Exchequer Accounts, E. 101/394/17, membranes 2, 3, 5, but membranes 1, 6 give 10,400 marks or £6,933 6s. 8d.

C. SUMMARY OF EXPENSES FOR ABOUT THE THREE PRECEDING
YEARS (c. 1359-3)Issue Rolls, Supplementary, E. 403/1327¹

Au roi monseignour pur sa chaumbre de les 10,000. marz qil prent par an ²	£17,840.	
A mesme celui outre les 10,000. marz. qil prent par an	£5512. 16. 6d.	
A ma dame la roigne Isabelle qi Dieu assoille	£2215. 15s.	
A ma dame la roigne Philippe, des certaines qele prent a leschequer	£2114. 17. 5½d.	
A ma dite dame, de doun le roi outre ses certaines A monseignour le prince, en partie de ses dettes de Gascoigne	£5377. 9. 8d.	
A messeignours Duluestre, Richemond' et mon- sieur Esmon, pur despens de lour hostelx	£13,055. 16. 10½d.	
A mesmes ceux, de doun le roi outre les despens de lour hostelx	£5606. 9. 1d.	
A ma dame Isabelle la file, de doun le roi	£4403. 5. 4d.	
Pur despens del hostiel le roi des temps	Bukyngham	£3608. 18. 11d.
	Retford'	£16,319. 13. 7d.
	Walton'	£30,250. 6. 7½d.
	Wetewong', Clopton, et autres	£4914. 6. 10½d.
	La graunde garde- robe	£1781. 17. 11d.
La botillarie	£15,222. 19. 5½d.	
Pur acat' des chiuaux al oeps le roi	£11,938. 17. 8½d.	
Pur gages des garceons gardantz les chiuaux le roi	£5906. 13. 8d.	
Pur arkas, seetz et pur la priue garderobe le roi deinz la tour	£3285. 5. 8d.	
Pur les ouereignes de Westmonst', la tour, et altres chastelx et manoirs le roi	£1236. 3. 7d.	
Au . . duc' de Lancastre sur ses dettes	£7902. 2s.	
A ma dame la . . countesse Duluestre pur sa chaumbre et despens de sa file	£1807. 15. 7d.	
Au . . counte de la Marche pur Douorre et pur la mariage de son fitz	£861. 13. 4d.	
As diuers seignours pur lour gages de guerre en Gascoigne	£2174. 10s.	
Paiementz faitz pur diuers prisoners prises a Peyters al oeps le roi	£8752. 19. 1d.	
Au seneschal, conestable et autres ministres de Gascoigne	£30,853. 4. 1d.	
Pur gages et vitailles de Caleys	£1383. 15s.	
Pur la ville de Berewyk' oue le chastill' de Rokes- burgh'	£32,949. 18. 8d.	
	£4593. 17. 10d.	

¹ The membrane is 35½ inches long and 12½ inches wide² For this grant see above, p. 406.

Pur reparacione de niefs le roi et gages des mariners	£6327. 12. 4d.
Pur feez des banerettz, chiualers, damoiselx et vadlets par patentz	£11,001. 19. 9d.
Pur gages des gentz darmes vers Normaundye et Bretaygne	£1607. 10. 1½d.
Pur messageries vers Auynon' et altres diuers parties, sibien par decea comme par dela . . .	£2868. 7. 11d.
Pur feez des justices et des barons et altres minis- tres de leschequier	£4931. 4. 1½d.
Pur gages des serieantz darmes enuoiez as diuers par parties pur arrest des niefs et es altres busoignes le roi	£598. 8s.
Au roi Descoce dapprest sur ses despens . . .	£417. 8. 1½d.
Pur gages des archers et regard' des gardeinz laduersaire de Fraunce	£549. 8. 1d.
Pur gages des gentz darmes vers Irland' . . .	£556. 16. 8d.
Paiementz faitz par garaunt' qe ne purrount plene- ment estre espresses	£2459. 7. 8½d.
A monseignour Philipp' de Nauarre	1000. marg.
A ma dame la roigne Descoce, de doun le roi . .	£177. 6. 8d.
Pur freres et altre aumoignerye	£1323. 5. 6½d.
[Total]	£275,356. 17s. 10½d.]

Reviews of Books

As we go to press, the news reaches us of the death, at the venerable age of eighty-six, of the author of the pages which here follow. Sir Adolphus Ward, one of the founders of this Review, was always amongst its most generous and untiring friends. Here and now it is impossible to write of his great learning or his admirable qualities as a man and a teacher. We can only record our share in a widespread gratitude and sorrow. Ed. *E.H.R.*

Die Entwicklung der Geschichtswissenschaft in den führenden Werken betrachtet. Von MORIZ RITTER. (Munich: Oldenbourg, 1919.)

By the death, on 28 December last, of the author of this highly characteristic as well as interesting volume, the late Professor Moriz Ritter, the university of Bonn has lost one of the most eminent representatives, during his nearly forty years' association with her teaching body, of a branch of learning in which she has, beyond dispute, long held a foremost place. To say nothing here of the most popular of all the personalities who from the date of the foundation of the Rhenish Frederick William's university (1818) onwards identified themselves with her aspirations—Ernst Moritz Arndt—Ritter inherited the great historical traditions which Niebuhr had in his last years domesticated at Bonn, and which, though with the addition of a combatively political element, were carried on there after him by the school of historians founded by Dahlmann and brought to its height by Sybel. Though himself the son of a Bonn professor, and educated at Bonn, where he qualified for his doctorate by a dissertation on Diocletian, Ritter seems to have derived the first enduring impulse to historical research from his membership (later exchanged for the presidency) of the historical commission of the Munich Academy of Sciences, where C. A. Cornelius was then the commanding genius. It was in the publications of this commission that Ritter first entered into a systematic treatment of what was to become his 'special subject' for life—the period of the Counter-Reformation and the Thirty Years' war. In 1873 he succeeded Kampschulte (the historian of Erfurt, the humanist university *par excellence*, and the high-minded biographer of Calvin) as 'ordinarius' of history at Bonn, and this position he filled, in the whole sense of the word, till slowly failing powers led him to retire from professional work in 1911. Within these years his contributions to historical literature were continuous. They were throughout founded on first-hand research, and mainly devoted to the period of German history which he had chosen

as his own; and they culminated in the great work which, notwithstanding its summary treatment of the last thirteen years of its theme, remains, and is likely to remain, the standard history of the Thirty Years' war and its German antecedents (3 vols., 1889–1908). But his academical lecture-courses covered the entire history of the middle ages and modern times in the West down to the age of Frederick the Great. The work of his historical seminar, which he conducted with unsurpassed energy and versatility, dealt with both medieval and sixteenth- and seventeenth-century sources; and in a series of annual lectures, which from 1884 onwards he added to his other courses, he treated the theory of historical science after a fashion of his own, thereby setting an example which we are glad to think is followed in at least one English University of the present day. On Professor Ritter's personal character and views, religious or political, the present is hardly an occasion to touch. If the greatest of recent German historians averred that he would always be found to be 'a good evangelic Christian', Ritter's old-catholicism was impressed by him on neither friend nor adversary; he died in communion with the church to which he had always belonged; nor had there ever been any doubt but that religious faith was part of his life.

His *Advancement* (if we may translate *Entwicklung* by an older English equivalent) of *Historical Science* was published in 1919, so that the present notice of the work may appear somewhat belated. But the book is complete in itself; or rather, it never aimed at more completeness than is implied in the qualifying words: '*as considered in the light of leading works.*' An exhaustive treatment of the whole subject had not been contemplated by the author either in his book or in the lectures out of which it grew; and he was content to deduce the aims and method of historical science from the actual process of its advancement through a succession of stages exhibited in a relatively small selection of representative productions. As to the stimulative effects on students of history of this self-imposed choice of limits there can be no doubt; and a brief introduction suffices to guard the survey as a whole from what would be an irrelevant charge of shortcoming.

Thus, in the section on the historical writing of the Greeks and the Romans no attempt is made to dwell on the beginnings of Greek history, which, as the author observes, would present the same fundamental forms as Egyptian, a first period in which mythology transformed reality, and a second in which it was attempted to present the latter by means of annalistic notes. The rise of a new epoch in Greek historical composition, and through Greek in that of historical writing at large, was due to the genius of one man, Thucydides, who of the two sections into which annalistic history must divide itself—that of personal experience and that of earlier events—chose the former for the body of his narrative, and thus gave to it enduring life and enduring value. Ritter's chapter on Thucydides is worthy of its theme, not the least so in the demonstration that the great historian, in describing liberty and power as the highest of the prizes for which states contend, failed, like the long line of successors whose views his own dominated, to grasp the full significance of that which liberty and power are most valuable as the means of securing. In themselves

they are, after all, but mighty influences that may, or may not, open the way to progress; and they, accordingly, furnish no security against the pessimism which too often mars the mood of great historical writers.

The chapter on Aristotle may be here passed by, as in a sense bearing only indirectly upon the subject proper of this volume, though for the progress of historical writing an insight into the character and purposes of the state were obviously indispensable. The chapter on Polybius, on the other hand, is deserving of special notice as extending the design of a state or national history into that of a general history, i. e. of one of the known parts of the 'inhabited' world. His merits are here more generously recognized than has perhaps always been the case, though he is shown to have made no substantial advance on Thucydides in tracing the inner political history of the state—Rome in this instance—and its party struggles. From this point of view Ritter has little to say in praise of ancient Roman history; and though he pays a tribute to the progress made in characterization, and the consequent dramatic effect of their narratives, by Tacitus, Livy, and Sallust, his critical estimate of the first and greatest of these is disappointing, especially in view of judgements so acute as that lately given to the world by an English writer, Professor J. S. Reid.

With the second book of this inquiry we pass to Christian-medieval historiography. The great historians of antiquity had not been without a sense of the decisive influence of a divine control over historical events; but what with them was a conscious postulate, with St. Augustine became a documentarily proved system of heavenly rule leading to salvation. The dominating principle of the *Civitas Dei* held its own in the conceptions of the course of historical events developed in the great chronicle of Bishop Otto of Freising, who called it himself the Book of the two *civitates* (Babylon and Jerusalem), and who wrote more than seven centuries after his great predecessor. A really and essentially new treatment of history cannot be said to have begun till the era of humanism set in, and till that knowledge of the ancients in their institutions, their political life, their social ways, and their intellectual acquirements which Erasmus thought necessary for commentators on their writings, became indispensable to narrators of their history and that of their successors.

But neither into his demonstration of the progress of a growth which he follows with many masterly touches from Machiavelli to Clarendon and his age, nor into his account of the new element which entered into historical writing under the more or less vague designation of 'philosophy' in the eighteenth century, are we able on this occasion to follow our guide. We cannot, however, but direct attention to the remarks on Herder's ideas, incomparable in the grandeur of their comprehensiveness and their relation to the future of the human race, and to the ungrudging tribute to Gibbon. British scholarship and learning may, while conscientiously awake to his deficiencies, claim to have remained justly jealous of his fame, and it is satisfactory to find, in a well-balanced survey like Ritter's, the term *bahnbrechend* without hesitation applied to his mighty labours.

But if the greatest historian of the eighteenth century was, in the full sense of the word, the pioneer of the coming advancement of historical science in the nineteenth, what was the distinctive quality which entitled the greatest historian of the earlier part of the nineteenth to be honoured as the *alter conditor* of that science itself? Ritter is surely justified in asserting that the really novel element in the method of Niebuhr, and the fundamental reason of its unprecedented, and in some respects unequalled, success, lay in his interpretation of the sources of early Roman history, and in his criticism of tradition with the aid of analogy. The method proved enduring—but its particular application was directed by what it is no exaggeration to describe as genius, even if there be some trace of truth in Mommsen's deprecation of Niebuhr's 'brilliant fancies'.

When from Niebuhr, with a brief tribute to Lorenz von Stein's valuable discrimination between the spheres of the state and of society, we proceed to Ranke and his successors, we find ourselves at a stage of advancement where the generation of historians to which Ritter himself and many who owe him guidance belong have been put in possession of a firm footing. Ranke's endeavours, first restricted to a limited and then maintained through a more and more widely extending domain, consistently were to study and estimate the forces at work in the life of states, both as to their inherent strength and as to their actual results; but never to allow preferences to affect or passion to distort his calmly and, in the true sense of the word, congenially expressed judgement. Of Ranke's transforming influence as a teacher of history there can be no doubt. Looking back upon the university curricula at Leipzig in the days of his youth he pronounced that historical students, as he understood the term, had no academical existence in those days. Since his time, the ken of leading historians in his own, as in other countries, has been both narrowed and widened, in neither case with results commensurate to those due to his own efforts, though, in the former case, often enough with powerful effect on both political and ecclesiastical conceptions. The attempt to merge history at large in that of 'civilization'—to use the only English equivalent for the still impossible 'culture'—is an inevitable consequence of the contrast between the two points of view which dates back to the age of Voltaire; but which was not put into actual operation before the brilliant effort of Burckhardt, and, on a larger scale, the elaborate work of Lamprecht. The kindly remembrance which the latter left behind him in this country on his visit, not long before the outbreak of the late war, cannot blind us, any more than the flow of suggestiveness characterizing his *History*, to the impossibility of regarding his plan of historical narration as definitively established, or of consenting to treat the history of the state—political history—on the same footing as that of other important spheres of 'culture' or civilization. On this as on many issues, essential or incidental, of his consecutive treatment of his vast theme, Ritter, whose own place among the historians of his age is secure, will be found to have thrown a far fuller light than it has been possible to indicate in the present brief notice.

A. W. WARD.

Outlines of Historical Jurisprudence. Volume ii. *The Jurisprudence of the Greek City.* By SIR PAUL VINOGRADOFF. (Oxford: University Press, 1922.)

THIS is not a history of Greek jurisprudence. The writer has deliberately confined himself to a narrower field, in which material is fairly abundant and a unity of view is readily attainable. His aim is 'to reconstitute the general jurisprudence of the fourth century B.C.', when Plato and Aristotle wrote, and democracy prevailed in the leading cities. He has cut a section and given the reader a view of its constitution: he has not sought to trace a genesis, or to carry the story of Greek law from the days of Solon (and earlier) to the days in which Hellenistic cities acknowledged the divinity of saviour kings. Nor, again, has he been concerned with the varieties of legal custom among Dorians and Ionians: he has concentrated attention upon 'the common law of Greece, the κοινή of the classical period', so far as it can be reconstituted by the help (in the main) of Athenian materials.

There is thus a rigour of demarcation in this volume which tends to awaken a certain regret. The development of Roman jurisprudence has been made familiar by the work of generations of scholars. The development of Greek jurisprudence is a more novel theme. A study of that development, ending in some account of its merger (so far as it was merged) in the jurisprudence of Rome, would possess an interest and a fascination of its own. Inscriptions and papyri have added new cubits to our knowledge; but the general effect of these discoveries has still to be stated to English readers in a concise form. When that statement comes to be made, this volume will be an invaluable contribution to its making. But that is far from being a full account of its value. It is the aim of Sir Paul Vinogradoff to achieve, or at any rate to advance, a collaboration between the jurist and the historian. In pursuit of that aim he has furnished the student of Greek history with a comprehensive picture of the juristic setting in which the political life of the fourth century B.C. was contained. Nor is that all. He has also given a juristic interpretation of the legal elements contained in the writings of Plato and Aristotle, and he has aided the student of Greek philosophy as well as the student of Greek history.

It is perhaps in his treatment of Aristotle that he gives most abundant aid. The theory of justice in the *Ethics*, and many of the topics treated in the *Politics*, receive new elucidation. He discusses fully, for example, the distinction between νόμος and ψήφισμα which Aristotle emphasizes, and, controverting the tendency of modern German writers, he maintains the validity of that distinction and the justice of the criticism which, in its strength, Aristotle passes upon democracy, that it confuses 'laws' and 'decrees' in using the form of legislation by provisional orders. In his treatment of Plato, and especially of Plato's *Laws*, Sir Paul Vinogradoff is not equally full. There are, indeed, passages in the *Laws* on which he throws new light. One may mention his explanation of the number of citizens (5,040) which Plato fixes for the 'second-best' state described in the *Laws*. It relates to the total (10,800) which, according to the lexicographers, Aristotle ascribed, in a passage of the *Ἀθηναίων Πολιτεία*

no longer extant, to the ancient constitution of Athens. But in spite of a number of references to the *Laws*, one cannot but feel that its importance in the history of Greek jurisprudence is greater than would appear from a study of this volume. Professor Burnet, who has some profound if brief remarks on this matter, quotes a passage from Cujas on the debt of Roman jurisprudence to the *Laws*: 'Multa . . . auctores nostri ex Platone mutuati sunt.' The influence of Plato's *Laws* on the development of later jurisprudence is a matter well beyond the scope of any knowledge which the present reviewer possesses. But he cannot but record the impression made upon him, when he studied the *Laws* in some detail, not only by the general theory of law which it contains, but also by its careful analysis of the several branches of law. It is hardly likely that Plato exercised in Greece anything of the influence which Jeremy Bentham exercised in England. But there are some parallels between the two; and in any case Plato is the great figure in the history of Greek legal thought. The Academy, if it was a home of mathematics, was also a home of jurisprudence. It produced a number of lawgivers, whom we cannot but imagine to have been trained in legal principles. The extent of legal study in fourth-century Greece, and the influence of such study upon legal development, are themes which might naturally be included in a sketch of the general jurisprudence of that century.

In an early chapter of the volume Sir Paul Vinogradoff makes some admirable remarks on the antithesis between νόμος and φήσις. It is possible to desire an even fuller treatment of the theme, which has a profound importance, in the light of Dr. Burnet's writings and of a recent article by Professor J. L. Myres. What is said of the representative principle (in connexion with the representation of cities for purposes of loans and treaties) might also have been developed further, and made to include some consideration of the methods of representation used in the Boeotian League. On the other hand, the nature of the juridical personality of the states, as conceived by the Greeks (pp. 102 ff.), and the character of the Greek law of associations (pp. 119 ff.), are both treated with an admirable fullness.

ERNEST BARKER.

The Romans in Britain. By SIR BERTRAM C. A. WINDLE. (London: Methuen, 1923.)

THE purpose of this book is to describe Romano-British life with some reference to its historical setting, and its eighteen chapters are illustrated by sixty-five maps, drawings, and photographs, more than half of which are reprinted from two well-known books by the late John Ward. It must at once be said that friends alike of Sir Bertram Windle and of Roman Britain can only regret its publication. The preface is dated 'April, 1923', but almost any chapter might have been written twenty years ago, for the author is clearly out of touch even with the salient features of recent research. The book begins with an introductory account of 'Britain before the Roman occupation', wherein Sir John Rhys's successive 'invasions' are accepted with confident literalness. We are then presented with a summary account of the occupation and settlement of the country,

based too often upon proved error or unproved conjecture. Such baseless statements as 'the Second Legion . . . after the conquest made its way westward and settled down in *Glevum* (Gloucester)' abound in these pages. Occasionally the author's ignorance of modern work leads him even more seriously astray. Thus (p. 56) he repeats Haverfield's obsolete theory that, on the recall of Agricola, the northern frontier was promptly withdrawn 'to a more southerly line, ill-defined but on the Tweed', and is evidently unaware that two years ago Dr. Macdonald showed on conclusive evidence that several of the more northerly Scottish forts were retained for at least a quarter of a century after Agricola's campaign. This oversight almost prepares us for the following statement (p. 65) regarding the vallum behind Hadrian's Wall:

South of the Wall are certain earthworks, as to the date and use of which there have been innumerable discussions, yet the question remains unsolved. It has been suggested that they were a southern protection against marauders from Ireland, who used to come over in boats coloured to look like the sea (an early example of camouflage), and hence called *Picti*, a rather confusing term in this district.

These involved and uncertain comments ignore the recent work of Mr. F. G. Simpson. Once more, in speaking of the Scottish campaign of Severus, the writer avers that 'none of the forts north of the Wall show any trace of this Emperor', although in 1917 Dr. Macdonald pointed out that at Cramond, twelve miles beyond Inveresk, an occupation under Septimius Severus is 'amply vouched for' on numismatic evidence. Even the standard classical authorities are not immune from casual treatment, as when, on p. 23, we are informed that Claudius 'within 16 days' of his 'subjugation of the southern tribes, set up some sort of capital at Camulodunum or had at least given it a charter of a colonia' some seven years before the date implied by Tacitus.

Omissions or inaccuracies such as these are unfortunately supplemented only too frequently by confusion of thought and error of judgement. Thus in the second chapter, describing 'How the Romans took possession', what is the bewildered student to make of the following argument (p. 21)?

Almost certainly this (i. e. the *oppidum* of Cassivelaunus) was at the place outside the modern St. Albans, where the Roman city of Verulamium afterwards stood. Nothing later than the Early Celtic period has been found there, and one of the most important objects, perhaps, is a bronze helmet shaped like a jockey-cap. Thus we may conjecture that the Catuvellauni came to Britain about 200 B. C.

And what are we to think of the judgement of an author who chooses Melandra as the typical example of a Roman auxiliary fort, and for a typical legionary site turns to Chester as 'the best example in Britain of a purely military fortress'? Incidentally, it may be noted that on p. 99 he transfers unblushingly to Chester Giraldus's description of Caerleon in Monmouthshire. Chester was of course known also as Caerleon, but in the present instance there is no excuse for confusion. Nor are the problems of Roman Chester illuminated by the following information (p. 96): 'Haverfield thinks that they [the troops] may have reached the site of Deva by the year 50. However that may be, it seems clear that the city was founded by Agricola, whose name has been found on lead pipes in Chester.' Perhaps the rashness of this inference is counterbalanced

by excessive caution in the case of the fellow fortress of Caerleon, where, 'outside the walls, there is a depression 274 by 226 feet in extent, which has long been known as "King Arthur's Round Table". This, it now appears, is probably what remains of the amphitheatre.' This, of an amphitheatre which was partially excavated nearly fifteen years ago and is one of the best-known examples in the country. Other instances of caution amounting to ignorance need not perhaps be cited save to note that, on p. 126, the author is evidently unaware of the important excavation (and the destruction) of the fort at Templebrough during the late war.

The chapters dealing with 'finds' in relation to daily life are the least unsatisfactory parts of the book. Those relating to 'funerary monuments' and 'religious memorials' are readable accounts of their subject. Of the notes on arts and crafts less may be said. Students of Romano-British art will be encouraged by the news that the well-known gorgon-head from Bath is 'said to be the finest piece of carving north of Rome' (p. 117). On the other hand, those who look for information on Samian pottery will be somewhat startled to see an illustration of a Gaulish bowl of shape 37 labelled 'Samian or Arretine bowl' (fig. 41). And even in the midst of the most readable chapter it is disconcerting to find the following statement regarding an altar inscribed 'To Mars *Ocelos* and to the numen of the divine Emperor Alexander Augustus and of Julia Mammea and the entire divine house'. 'This', is the author's comment, 'was the Emperor Severus (222-235), who was, as already stated, in Britain and died there. His name, as always, is erased on the inscription' (p. 193). Could confusion be worse confounded?

R. E. M. WHEELER.

Private Jurisdiction in England. By WARREN ORTMAN AULT. (New Haven: Yale University Press, 1923.)

THIS volume, by a pupil of Professor G. B. Adams, is a further valuable addition to the growing number of monographs by American scholars on difficult aspects of English medieval institutions. It ranks with Hemmeon's *Burgage Tenure* and Morris's *Frankpledge System*. Dr. Ault's title is wider than his subject. It is not a systematic treatise on private jurisdiction that he gives us, like Dr. Hearnshaw's *Leet Jurisdiction* in one corner of this wide field. He does not enter into the thorny question of origins; and though he is largely concerned with baronial courts in the strict sense, he has only a casual reference in a note to the notable article in an earlier volume of this Review in which Dr. Rachel Reid advanced a new theory of tenure by barony which regards the exercise of what would normally be public jurisdiction as the essence of the tenure, rather than military service.¹ To some it may appear that an onerous and unpopular duty is more likely to have been the condition of the tenure than a lucrative and much-prized privilege, but from Dr. Ault's point of view it does not matter which is right. The records of baronial justice begin in the thirteenth century, when the system was already in decay and the Crown had won back a great part of its delegated jurisdiction. Dr. Ault has limited himself to a detailed study of these records for seven

¹ *Ante*, xxxv. 161 ('Baronage and Thanage').

great honours and baronies in order to check the views that have been formed on more casual examination of the evidence. He starts with the triple classification of private jurisdiction of Dr. Adam's nomenclature, baronial, franchisal, and domanial. By the thirteenth century the baronial or honour court pure and simple was of rare occurrence, and the evidence here adduced as to the courts of the honours of St. Valery and Wallingford shows that the case which is best known, the Broughton court of Ramsey Abbey, was exceptional in the predominance of freeholders over tenants by knight service. Knights (barons in the twelfth century) were the normal suitors of honour courts, which were occasionally called knights' courts, and 'the enforcing of personal service from the knights was the principal business of the honor courts'. It is noteworthy that these courts were not always held at the capital manor of the barony; the Ramsey court, as already mentioned, met at Broughton, and that of St. Valery at North Osney, not at Beckley, the *caput* of the honour.

The name of honour court is usually reserved for the Broughton and North Osney type of baronial court, but cannot in strictness be denied to the much more common type in which it is combined with a private hundred court, as at Clitheroe,¹ or with that of a demesne manor, as was the case with the abbot of Vale Royal's court at Weaverham.

Cases were sometimes taken up to an honour court from inferior courts in the barony, but not apparently on the appeal of a suitor.

With regard to franchisal justice, a somewhat unexpected feature is the holding of view of frankpledge in the manor courts even where the hundred court was in the same hands. Where this was not the case, Dr. Ault seems to regard the possession of view of frankpledge as carrying all hundred jurisdiction with it, and is disturbed to find suit still owed to the hundred court, lamely suggesting that the suitors went there merely to claim their lord's liberty. It is argued (p. 96) that suit to the hundred implies that the view is not held by the lord of the tenants who do it, but there are clear cases to the contrary in the hundred with which he is dealing (e.g. Gravely, Ellsworth, Over, pp. 30-1). Even where the hundred and the manorial views were in the same hands, as in the Ramsey hundred of Hirstington, the ordinary monthly meetings of the hundred court would still be held at the usual meeting-place, and Dr. Ault need not have been surprised to find a bailiff rendering accounts from 'a court held at Ramsey each month' (p. 118) or driven to conjecture that, though clearly a hundred court, its jurisdiction must have been practically limited to the banlieu of the abbey. The statement that Ramsey's own demesne manors did not come is contradicted by the passages which Dr. Ault himself prints from the *Ramsey Cartulary* and the *Hundred Rolls* (pp. 19-22). Suit to the hundred was owed from Broughton, Holywell, and Sleppe (St. Ives). In the last case, it is carefully distinguished from suit to the view of frankpledge. The error may have in part arisen from a too wide interpretation of King John's grant to the abbey of quittance of all suits of shires and hundreds. This was limited to their demesne land

¹ It is surely a mistake to say that the court of the wapentake of Leyland was merged with the court of the barony of Penwortham (p. 325), from the thirteenth century at all events.

and the men of their demesne, and demesne here must be taken in the narrow sense and not as 'demesne manors'.

A very interesting section of the book deals with the liberty of the banlieu of Ramsey Abbey in which it exercised the highest jurisdictional franchises, trying pleas of the Crown. It was a palatinate in miniature, and among monasteries only paralleled by the 'Twelve Hides' of Glastonbury.

Dr. Ault's work, though not, as we have seen, free from misunderstanding of the evidence, brings together so much ordered material on a very difficult and important subject, and in the main handles it with such insight and skill, that it will greatly smooth the path of the student of medieval organization.

As an American Dr. Ault may perhaps be forgiven for writing 'Norfolkshire', but he ought to have identified the abbey 'de Loco S. Edwardi' with Shaftesbury Abbey. His index, too, might have been fuller.

JAMES TAIT.

Nicholas Glassberger and his Works, with the Text of his 'Major Cronica Boemorum Moderna'. By WALTER SETON. (London: British Society of Franciscan Studies, 1923.)

To those who lie without the charmed circle of the Franciscan cult it might well appear that Dr. Seton had devoted more time and study to Nicholas Glassberger than so obscure a person deserved. The chronicle, too, of which the latter portion is here reprinted, is not of any great general interest, and those who wish to consult it might very well be content to refer to Dr. Josef Emler's edition of the Chronicle of Pulkawa in volume v of the *Fontes Rerum Bohemicarum*; since, as Dr. Seton tell us, the passages in which this chronicle differs from that of Pulkawa are duly printed in Emler's notes.

But the interest of Dr. Seton's book lies neither in Nicholas nor in the chronicle. To him, as to T. H. Green, it is not the objects themselves but their relations which are of importance. Nicholas Glassberger, himself a man of no very great eminence, left behind him 'a Chronicle of first-class importance giving an account of the [Franciscan] Order from its foundation right down to his own times'. What sources such a man used, and how he used them, must needs be of interest to those who are concerned with facts and documents for which he is frequently the sole authority. Boehmer describes him as 'a painstaking compiler, . . . not very exact and sometimes clumsy'. Dr. Seton, by a combination of good luck and good management, is able to show us almost exactly how he did his work on another chronicle, and thus gives us the material for a close guess as to the value of his information about the Franciscans.

The identification of the 'Major Cronica' (not that to which he himself alludes under that title) as the work of Glassberger rests upon the author's description of himself as 'frater Nicolaus natus de Bohemia educatus in Moravia ordinis minorum de observancia', partly on a comparison of the handwriting of Nicholas's autograph version of the 'Chronicle of the XXIV Generals', the manuscript of which is preserved at the Convent

of St. Mary of the Angels at Hall in Tyrol, and that of a manuscript (no. 292) in the Ceroni Collection at Brünn. Facsimiles are given of both manuscripts, and also of a marginal note admittedly in Glassberger's writing, in MS. 13671 of the Nationalbibliothek at Vienna containing a German version of the legend of the Blessed Agnes of Bohemia, of which Dr. Seton published a study in 1915. The Brünn MS. is in the main an amplification of the Pulkawa Chronicle, and in examining a manuscript at Munich of this chronicle which appeared to be that which Nicholas had used, Dr. Seton unexpectedly discovered that it had belonged to Hartmann Schedel, who lived at Amberg at the time when Glassberger is known to have been there. Both men also resided at Nuremberg from 1483 to 1508, the date of Glassberger's death. Examination of the registers of the university of Leipzig (edited by Erler) gave some reason for thinking that both had been students there at the same time. This enables Dr. Seton to connect Glassberger with the fifteenth-century humanists of southern Germany, and to modify Boehmer's judgement of Glassberger's intellectual interests. Following up this clue he identifies the chronicles used by Glassberger in the 'Major Cronica', and goes on to show that Schedel possessed manuscripts of many of them, and in some cases that these were the manuscripts used by Glassberger. The unidentified matter is largely such as could have been drawn by Glassberger from the Nuremberg archives. One passage in particular shows some similarity to Schedel's own 'Nuremberg Chronicle'.

Another point of interest raised by Dr. Seton is the possible influence upon Glassberger of the great preacher St. John of Capistrano, who was in Germany 1451-6, and whose letter to Henry VI in 1454 opens the history of the English observants.

CHARLES JOHNSON.

The Elizabethan Stage. By E. K. CHAMBERS. 4 vols. (Oxford: Clarendon Press, 1923.)

EVER since the publication in 1903 of Dr. Chambers's *Mediaeval Stage* students of the drama have looked to him for a continuation which should cover the period of Shakespeare. During the past twenty years a great amount of work has been done on the later period, but much of the best of it has appeared in scattered articles, in introductions and notes to editions of separate plays, and in other places not easy of reference, and it was becoming a matter of the greatest difficulty to obtain a view of the present state of the subject as a whole. Such a general survey as that before us was urgently needed, and, though the author has had to break off earlier than we might have wished, namely at 1616, it is most welcome. The history of the stage—and readers should recollect that it is the stage and not the drama that is Dr. Chambers's subject—may be considered under two aspects: its relations to the world of its day, and its own internal economy. To the former aspect the author has devoted the greater part of his first volume, opening with an account of the courts of Elizabeth and James, the royal household and its various offices, including more particularly the office of the revels, and passing to discuss the place taken in court life by the pageants, masks, and court plays. Those whose

interest lies chiefly in the later period and the popular stage may perhaps question whether the treatment in these early chapters is not unnecessarily detailed, but a clear picture of the Tudor court as it affected the development of the drama has long been wanted, and indeed without this the evidence concerning the court performances could hardly have been made intelligible.

From the court Dr. Chambers passes to a discussion of the official regulation of the stage, the attitude taken towards it by the humanists and by the puritans, and to the struggle between the court and the city of London for its control. Here he is dealing with matters which in recent years have been the subject of much detailed study, but, as everywhere, he brings new material as well as providing a careful and balanced survey of what has already been done. The volume is concluded by two interesting chapters concerning the social position of the actor and the economics of theatrical enterprise. The majority of students of the drama will, however, turn more eagerly to Dr. Chambers's second and third volumes, which deal with theatrical affairs from within, with the theatrical companies, the individual actors, the construction of the theatres, and the methods of staging. The companies, their composition and history are investigated most minutely, and apart from the excellent work of Dr. Greg in his edition of *Henslowe's Diary*, which is mainly concerned with the admiral's and the earl of Worcester's men, we have here the first full and critical study of the subject. It is one of peculiar difficulty, owing in great part to the frequent exchanges of actors from one company to another and to the haphazard nature of much of the evidence, but so close was the connexion of some of the dramatists with particular companies that the fortunes of these had important reactions on the drama itself and exact knowledge concerning them becomes of great value to the historian of literature. The account of the companies is closed by a chapter in which is summarized all that is known about every actor of the period whose name has come down to us.

The chapters which follow, dealing with the playhouses themselves, supply as good an account as we can ever hope for, unless some hitherto unknown material should come to light, of this very troublesome subject. Hardly anything seems to be quite certain about the playhouses except the dates when some of them were built and when some of them were destroyed. We have indeed a general idea of the distinction between the two great divisions of 'public' and 'private' theatres—both of them probably quite public in the modern acceptance of the term in that any one who chose to pay was admitted—the former deriving from the bull-ring, tending to a circular plan and open to the sky, the latter taking their origin from the nobleman's hall, in which, from the times of the minstrels, performances were given by wandering players, being typically rectangular and roofed. But when we have said this—and even to this there are exceptions—we have said most of what is really certain. The details of structure are extraordinarily difficult to make out, and even Dr. Chambers with all his care—partly perhaps because of his care—has had to leave much doubtful. Unfortunately the one drawing of any importance which purports to show the interior of an Elizabethan

playhouse, the well-known de Witt sketch of the Swan theatre c. 1596, only exists as a copy by one who was clearly no artist, and was itself the work of a foreign visitor, probably from memory, and drawn with the special purpose of illustrating an analogy which had struck him between the English and the Roman theatres, and thus possibly vitiated by preconceptions; and on the whole it has perhaps tended rather to confusion than to enlightenment. In certain points it is evidently wrong, for if the theatre were as drawn a large part of the audience could not possibly have had an adequate view of the stage, and its accuracy in other ways is at least suspect.

Questions of the structure of the theatres lead naturally to a discussion of methods of staging, and here Dr. Chambers gives us an admirable summary of what may be inferred from the extant evidence. There is, perhaps, no part of his book which is so controversial, and there will, I think, be few readers who will agree with him in every detail. The subject is not, however, one that can be discussed in a review, and I must content myself with saying that future theorists as to the Elizabethan stage will be wise to read Dr. Chambers's chapters and to ponder them very carefully. He has treated the staging of the late sixteenth and early seventeenth centuries in different chapters, an excellent plan, for though there was no sudden change of method or break in the continuity of development, it enables us clearly to realize the change which was in progress throughout the period and avoids the confusion which may easily be caused by the citation in too close proximity of evidence drawn from periods widely separated in date. The results of the whole investigation are perhaps a little disappointing. There is still much that we do not know, but we can at least feel that the available material has been thoroughly ordered and considered, and made to yield all that can fairly be extracted from it. If this cannot be said with the same assurance of Dr. Chambers's chapter on the printing of plays which concludes what we may term the 'reading-matter' of the book, this is hardly the fault of the author. Recent work has entailed a reconsideration of the older ideas on the subject, and much has still to be argued out. Though, therefore, this chapter will be most useful, it must not, I think, be expected that in all its details it will meet with universal assent. For example, Dr. Chambers's use of the word 'corrector' for a person appointed by the licensing authorities to censor books and plays seems doubtfully justifiable, and further proof is surely needed before it can be assumed that the officials of the Stationers' Company ever took on themselves the licensing of matter for the press, a power to which no enactment concerning the censorship seems to give them the slightest claim. On the other hand, cannot we argue that a play acted with the consent of the master of the revels would in ordinary circumstances need no further licence for the press?

The second half of Dr. Chambers's third volume consists of a dictionary of playwrights in which we find in conveniently condensed form all that is known about the dramatists who fall within his period; the chapter being supplemented by one on anonymous plays, which opens volume iv. The work displays the author's customary care and accuracy, though it can hardly be expected that in such a mass of detail every statement

should have received equal consideration. Thus the summary of the evidence for Marlowe's authorship of *Tamburlaine* seems, through condensation, somewhat misleading. *Tamburlaine*, the character, was regarded as a type of atheism, and Marlowe, at the height of the play's notoriety, had got into trouble for his supposed atheistic proclivities. To call him, as Harvey did, the *Tamburlaine* of Paul's (i. e. of the book-trade, or as we might say of 'the literary world') was natural enough, but surely implies nothing as to his authorship of the play. Again, the edition of Greene's *Quip for an Upstart Courtier*, 1592, containing a passage attacking the Harveys is not lost, as is stated at iii. 325.¹ And why does Dr. Chambers so positively assign the translation of the *Menaechmi* to William Warner? The original only has initials, and the attribution is a mere guess in the 1721 edition of the *Athenae Oxonienses*. But these are trifles in a work of such extent.

The thirteen appendixes must have cost immense labour, but are well worth it. A 'Court Calendar' of over fifty pages, tracing the doings and journeyings of the court from 1558 to 1616, gives information of which all who have worked at the period must have felt the need. An analysis of payments in connexion with the revels follows, and two long appendixes in which are printed all the more important documents of criticism and documents of control: then a summary of the plague records, documents concerning questions of staging, a list of academic plays, and finally lists of printed plays with particulars of their entry, if any, in the Stationers' Register, and of lost plays. A fourfold index completes the work.

It seems ungrateful to grumble, but two minor criticisms must be made. The first, which concerns the publishers rather than the author, is that not enough care has been expended on making the work easy of reference. It would have been greatly improved by the addition throughout of either recto head-lines referring to the subject of the opening, or by shoulder or cut-in notes. Assistance of this kind is particularly needed in certain chapters, such as that on the theatrical companies, where, if one has looked up a reference from the index or elsewhere, one may have to turn back for several pages to discover what company is being dealt with. So, too, in the chapter which deals in alphabetical order with the playwrights. Here the bad grading of the sub-headings adds to the difficulty of finding one's way about, but in any case a chapter of 318 pages demands something more than a head-line of 'Plays and Playwrights' to the left and 'Playwrights' to the right throughout. My other grumble concerns the author. Probably with a view to saving correction in proof, he has often given cross-references merely to a particular chapter as a whole, quoting the chapter by its number. To look up such a reference one must first discover in which volume the chapter falls, then refer to the 'Contents' of the volume to discover its title, for the chapter-numbers are not given in the head-lines, and then search the chapter (average length sixty-four pages) to find the matter in question. A simple reference to volume and page would have saved all this. Authors and publishers should remember that the time of students, though not to be reckoned in terms of shillings and pence, as that of compositors, has yet its value.

¹ See *The Times Literary Supplement* of 8 March 1923.

But I would not part from such a piece of work as this on a note of complaint, for it is without any question a very great achievement, a book which in its own department is and must remain a classic.

R. B. MCKERROW.

From Akbar to Aurangzeb. A Study in Economic History. By W. H. MORELAND. (London: Macmillan, 1923.)

MR. MORELAND here carries a stage further the researches in Indian economic history, which he began with such thoroughness and distinction in his *India at the Death of Akbar*.¹ It may be said at once that the high standard which Mr. Moreland set for himself by the merits of the first volume has been fully maintained, if not indeed transcended, in the second. There is the same marshalling of evidence from such a variety of sources as argues great erudition, the same cautious level-headed judgement in sifting and appraising it, the same shrinking from premature generalization, and—it may be added—the same personal modesty as to the value of his conclusions, where far higher claims might well have been put forward. There is also a shrewd insight into the meaning of economic phenomena. Mr. Moreland eschews that protective haze of grandiloquent and technical phraseology affected by some economic historians, which sometimes suggests to the uncharitable that they are not themselves too certain of what their statements really mean. He possesses—at least I have found it so—a most felicitous knack of explaining lucidly and concretely the very points which appear as one approaches them to need explanation; he seems by intuition to foresee the difficulties of his readers. The operations and features of early eastern trade are elucidated more completely and convincingly than in any other work known to me. Before recording some of his main conclusions, I may perhaps unburden my mind of the only criticisms which a stern determination not to speak in terms of undiluted praise compels me to make. These criticisms arise rather out of the nature of Mr. Moreland's subject-matter than his treatment of it. Part of the book, except to experts, is necessarily very severe reading, and, even from the point of view of the expert, I cannot help thinking that the long fifth chapter on the 'Course of Indian Markets' might have been considerably abbreviated. Fluctuations in detail in the price of grain and indigo through the seventeenth century can surely have only a faded interest even for the most eager student. The author no doubt wished to give us material to test his generalizations, but part of this chapter, and some of the chapter on 'Production and Consumption', seem to me to impose a strain and fatigue upon the attention, for which the knowledge imparted hardly compensates.

The period embraced in this volume presents three main features: the practical elimination of the Portuguese from Indian commerce, the early activities of the English and the Dutch, and the gradual deterioration of Akbar's administrative measures. After an able preliminary glance at the 'Asiatic environment', Mr. Moreland rapidly sketches the development of English and Dutch commerce. He points out with truth that the

¹ See *ante*, xxxv. 455.

great initial difficulty which faced all European traders in India was that of providing remunerative outward cargoes. India at this stage, and indeed for very long afterwards, was prepared to take very little in the shape of western products. The question arose, how were Indian goods to be paid for? Export of bullion or specie, except in small quantities, was prevented by the strong political and economic prejudices of the day. The prevalent high rate of interest in India made the raising of loans in that country a ruinous practice. Europe 'had to provide purchasing power in India for practically all the goods required not merely from India itself, but from all quarters of the Asiatic seas'. Hence merchants, who came to buy eastern goods for Europe, were driven to employ part of their capital in carrying all sorts of merchandise from one Asiatic port to another, and to remit to Europe in commodities the profits earned thereby. It might perhaps be mentioned in this connexion that a hundred years later an unforeseen result of this fact, combined with the Company's monopoly, was that the bulk of the Indian trade had passed into the hands of other nationals, especially Americans, Danes, and Swedes. The Company, naturally enough, would not grant their servants bills on London for the remittance home of private fortunes often made in dubious ways. The result was that much 'purchasing power' in India was going begging, and foreign merchants were enabled to come out to the East in ballast and obtain their 'investment' by employing it. Taking the cash of the Company's servants, they purchased with it Indian commodities and gave in exchange future-dated bills on their agents in Europe. Mr. Moreland lays great stress on the power and vigour of the Dutch East India Company in the seventeenth century, which he thinks not properly recognized by many English authorities. It was recognized, however, by the late Sir William Hunter in his *History of British India*, who anticipated Mr. Moreland in his high estimate of Governor-General Coen. It is certainly true that contemporary Englishmen looked on the Dutch as their superiors and models. Mr. Moreland might have quoted from the *Letter Books* the dispatch to Fort St. George of 28 September 1687, 'Our design in the whole is to set up the Dutch government among the English in India (than which a better cannot be invented)'. As late as 1718 the English held that the strength of the Dutch 'is greatly superior to ours and all other Europeans joined together, and nothing but the powers in Europe makes them afraid to prove it against any or all their competitors in the trade of India'.¹ Mr. Moreland attributes the success of the Dutch to their large capital, a sound system of commercial administration, and the centralization of their trade under the efficient, if ruthless, control of the governor-general and council of Batavia, who from their monopoly of the spice trade and the markets of the Far East, 'could direct a stream of gold and silver' to any part of India that offered a remunerative trade. He is able to use with effect Dutch sources hitherto neglected, and especially the reports to his employers of Francisco Pelsart, chief of the Dutch factory at Agra in 1626, an acute observer with a vivid style of his own. The chapter on 'New Markets in Western Europe' ends with an admirable summary—the pith and abstract of severe and painstaking research—of

¹ Letter Book 16, p. 408.

the aspects of oriental trade in the seventeenth century. Mr. Moreland warns us against forming an exaggerated idea of the activities of European merchants so far as they affected the main economic position in India. The commercial world was really dominated by individual Indians, great Moslem bankers, *banyans* or *chettis*, as the case might be, 'men who through their wealth and abilities might almost be said to control the entire wholesale trade within the area covered by their operations'. In fact it is true to say that in the economic, as in the political, world the British conquest of India was largely carried through by the co-operation of men of Indian birth.

There follow inquiries into the effects of seventeenth-century famines, the political and legal status of foreign merchants in India, the practice of 'reprisals' in Indo-European trade, and the tax-farming system under the Moguls, and on all of these subjects the author has something fresh and suggestive to say. The most valuable part of the latter half of the volume is the careful and impartial attempt to estimate the general lot of the Indian peoples under the reigns of Jahangir and Shahjahan. It is no attractive picture that is painted. The vision of a golden Mogul era, which is apt to bulk largely in nationalist propaganda, fades dismally away. Mr. Moreland comes deliberately—and, on the evidence he adduces, inevitably—to the conclusion that 'India of the seventeenth century must have been an inferno for the ordinary man'. Next to the rainfall, the working of the administration was the most important factor in the economic life of the country. Government took about one-half of the gross produce of the land and disposed of it in such a way that the producers were left with a bare subsistence, while the energies of the economically unproductive classes were spent in the struggle to secure the largest possible share in the salaries and assignments that might be forthcoming. The government was a union of despotism and bureaucracy. 'Production was dominated by the administration to an extent which has no parallel in British India at the present day.' Examining the problem in more detail, Mr. Moreland finds that in southern India, under the farming system, 'the first half of the seventeenth century was a period when the masses of the people were forced by the administrative system to live on the border-line of starvation and rebellion'. In northern India and throughout the Mogul empire, as it was gradually extended through the Deccan, the lot of the people was equally terrible. Akbar's system had been severe but on the whole workable and just. That of his successors exhibits steady degeneration. 'Akbar laid stress on friendly arrangements. Aurangzeb laid stress on the whip.' The fiscal mechanism of the Mogul empire became a continually varying experiment in extortion. Finally, by the end of Shahjahan's reign, 'the economic system of the Mogul empire had been strained almost to breaking-point, because the burdens on the principal industry were becoming unbearable, and production was ceasing to be worth while, because the life of the producer was ceasing to be worth living'. The final chapter is an altogether admirable and forcible conclusion of the whole volume. Such summaries as this—too rarely met with—add incalculably to the value of what has preceded. In it is depicted, with impressive moderation of statement, the economic ruin that befalls a nation when

a selfish despotism through the agency of a rapacious bureaucracy reduces the reward of production to a point where it ceases to attract the brains and energy of individual enterprise.

P. E. ROBERTS.

Cavalier and Puritan. Ballads and Broad-sides illustrating the period of the Great Rebellion, 1640-60. Edited by H. E. ROLLINS. (New York : New York University Press, 1923.)

THIS volume, which is the third of the collections edited by Dr. Rollins, contains seventy-five ballads, nearly all of them first reprinted in it. It is a very valuable addition to ballad literature. No really comprehensive or representative collection of the ballads of the twenty years here dealt with exists. Mr. Ebsworth endeavoured to form such a collection, but at his death the transcripts he had made passed into private hands and have disappeared. The two volumes entitled *The Rump : or an exact collection of the choicest Poems and Songs relating to the late Times*, which appeared in 1662, and the small selection from Thomason's collection, edited by Thomas Wright for the Percy Society in 1841, entitled *Political Ballads published in England during the Commonwealth*, are the chief contemporary sources. Dr. Rollins supplements these from several other sources, but chiefly from the two folio volumes of ballads in the Manchester Free Library, which provide twenty-nine specimens. He does not confine his selection to political ballads, but over two-thirds of those printed are political, and their historical value as indications of public feeling is very real. They prove the strength of royalist feeling amongst the section of the populace for whom the ballad-mongers wrote, while there are enough examples of the ballads of the other side to show that the division of opinion is fairly represented.

The volume opens with a series of ballads by Martin Parker, directed against the Scots, appealing to the natural hostility of Englishmen to the old enemy. A ballad on the Short Parliament of 1640 and another printed early in 1642 rejoicing at the continuance of the Long Parliament, ' the great Council of the King ', illustrate the original popularity of the parliament. There are two interesting new ballads on Strafford's trial, and one on the fall of the bishops, and there are many references in other ballads to the punishment of the king's evil ministers. But in a few years hostility to the sectaries replaced hostility to the hierarchy. There is a notable ballad against Oates and the anabaptists, and another against Parnell and the Quakers, but the most curious is an attack on the orthodox puritans by a friend of the Ranters named Lionel Lockier, entitled ' The Character of a Time-serving Saint ' (p. 321), and resembles the well-known ' Satyr against Hypocrites ' which John Phillips wrote in 1655. Superstition flourished side by side with religious zeal. One ballad relates the trial and condemnation of a witch at Salisbury in 1653, another the fate of a woman who sold herself to Satan, who instead of fetching her away at the expiration of her term appeared ' like to a tall man clad in black ' and tore off her head (pp. 329, 372).

The purely political ballads long before the civil war ended are full of aspirations for agreement between king and parliament, to which in

a year or two are added demands for the disbandment of the army and attacks on soldiers. The pecuniary burdens of the war are the subject of 'The Good Fellows Complaint' of the Excise, and 'Alas poor Tradesmen what shall we do?' (pp. 79, 207). There is one bitter attack on the Stuarts, preserved by Thomason in manuscript, beginning 'Queen Bettie kept warres with France and with Spain', written apparently at different times and brought up to date by adding fresh verses. 'Uncle William' mentioned in the last verse refers to Sir William Waller, not to Archbishop Laud. Similarly 'Spanish Frank' in the next ballad is a reference to Cottington, while 'Tom the Great Mogul' means Strafford, not Fairfax (pp. 153, 156). The date when a ballad was printed is not always the date of its composition.

There are three ballads relating to the execution of Charles I, but they are not of much merit. Far better are those relating to Charles II, beginning with 'Gallant News from the Seas' which celebrates the revolt of a part of the navy in 1648, and continued in others which wish success to the arms of the Irish and the Scots when they declared for Charles II. 'The Lady's Lamentation for the loss of her Landlord', in which she laments that 'her Black-bird most royal is gone', is still more curious, for this allegorical lament for an exiled prince, which appeared in 1651, was applied later to other exiled Stuarts, and reprinted both in Ireland and Scotland for a couple of centuries. 'Jack the Plough-lad's Lamentation' is a still more obvious royalist allegory. Though both writers and singers of seditious ballads were punished by the new government, it was impossible to repress altogether such manifestations of popular feeling. Another example of it is the ballad on the death of the earl of Pembroke printed in February 1650,

Of whose late end I now must write
that all his gang may know
The desperate end attends each wight
Who lives his sovereign's foe (p. 305).

Cromwell himself was not spared. However, the most famous ballad against him, that entitled 'O Brave Oliver', belongs to the end of 1648, when all the restraints on the press had been practically suspended. Another entitled 'A Hymn to Cromwell', which exults over his supposed defeat in Ireland, belongs to the autumn of 1649, a time when the new republican government was not yet firmly seated in the saddle (pp. 221, 288). It is odd that Cromwell's victories over the Irish and Scots were not, apparently, the subject of ballads, and that so few of those which have been preserved relate to his foreign policy. Dr. Rollins has recovered two: an excellent ballad on the peace with Holland in 1654, and another on the massacre of the Vaudois (pp. 341, 385).

In conclusion this volume fills a gap in the printed ballad literature illustrating English history, and the ballads, besides being well selected, are admirably edited. Both the general introduction and the separate prefaces to individual ballads contain the results of minute researches in newspapers and pamphlets of the period, and add much to our knowledge of the subject. The authorship of the ballads and the lives of their writers are traced with particular care. In short, all the editorial work is scholarly.

C. H. FIRTH.

William Bentinck and William III. By MARION E. GREW. [London : Murray, 1924.]

A TRANSCRIPT of the correspondence of Bentinck and William III in the possession of the duke of Portland was made for Sir James Mackintosh, and used by Lord Macaulay in his *History of England*. It is now in the British Museum,¹ but has been neglected by historians. The importance of Mrs. Grew's book, which is based throughout on the original correspondence at Welbeck, is thus manifest. Moreover, her knowledge of Dutch enabled her to bring under contribution authorities seldom consulted by English writers. The result is a considerable addition to the historical literature of the period. Since Macaulay dealt fully with the personal relations of William and Bentinck, it is unnecessary to do more than to state that this volume confirms his description. He also discussed at length the estrangement of the king and his confidential friend after Keppel's rise to favour. Mrs. Grew quotes many letters on this subject, but refrains from expressing any decided opinion on it. It seems clear, however, that Bentinck, although firmly persuaded of his own rectitude, was in reality actuated by jealousy, and that there was no firm basis for his complaints to William that intimacy with Keppel was ruining his reputation. Keppel was never a favourite with political influence, but merely a companion of the king in his lighter hours. On the whole, these letters will tend to raise William's character as a man without in any way detracting from his fame as a statesman. His extraordinary skill as a European diplomatist can be discerned in the interesting and valuable chapters Mrs. Grew devotes to the preparations for the expedition to England and to the partition treaties.

It is a matter for regret that she apparently devoted more time to the study of foreign relations than to domestic affairs. In dealing with them she is too often content to take what may be called the conventional view, and to rely too confidently upon secondary authorities. Instances of this tendency may be found in chapter vi, where it is stated that William had deliberately chosen to land in the west of England in November 1688, and that he was indignant at the slowness of his supporters in joining him at Exeter. Yet on 16/26 November William writes to Waldeck from that city: 'la constitution des affaires icy est telle que l'on me l'avoit represente avendt mon depart de la Hollande. . . . Les commences sont bon. . . . Il est facheux que nous avons este obligé par le vendt de mestre pied a terre de ce coste icy du West.'² It is perhaps natural that Mrs. Grew should follow Macaulay and attribute to William the intention to return to Holland at the end of 1689 and leave Mary alone on the throne. The authority for this statement is Burnet,³ who states

¹ Add. MS. 34514.

² P. L. Müller, *Wilhelm III von Oranien und Georg Friedrich von Waldeck*, The Hague, 1873, ii. 118.

³ Macaulay, *History of England*, ed. T. F. Henderson, pp. 479-80; Burnet, *History of My Own Time*, ii. 39-40; Miss H. C. Foxcroft's *Supplement to Burnet's History*, pp. 338-9. (Since Mrs. Grew always refers to this early version of Burnet as Harl. MS. 6584, she is apparently ignorant of the *Supplement*.) It will be noticed

that he derived his information from Shrewsbury, and who is to some extent supported by Lonsdale.¹ The story is improbable in itself, because William was not the man to cast upon his wife a burden he found too heavy for himself. The fact that there is not the slightest hint of any intention to abdicate in William's confidential correspondence is alone almost sufficient to disprove Burnet's assertions,² and other weighty evidence of a negative character could be adduced.³ Moreover, it is possible to reconstruct, with the aid of William's letters, what really happened. As he told Bentinck, he was anxious to visit Holland in order to settle a serious dispute with the Amsterdammers. Also he felt convinced that correct strategy demanded a descent on France and a defensive campaign in Ireland. But, as he explained to Waldeck, 'la constitution de ce Royaume et du peuple est tel que c'est une nécessité absolue, que je me gouverne a present selon leur humeur, et que je tache mestre fin a cett affaire'⁴ [war in Ireland]. Accordingly, he gave way to the representatives of his English advisers, abandoned his hopes of visiting Holland or leading an expeditionary force to France, and resolved to go in person to Ireland. Thus Burnet misunderstood a verbal communication, and confused a temporary absence from England with a permanent abdication. Similarly, the non-existence of any letters between Mary and Danby, or of any evidence to corroborate Burnet, suggests that the bishop's account of the angry reprimand that nobleman is said to have received from the princess for supporting her exclusive claims to the throne in 1689, should be viewed with suspicion rather than with the implicit confidence shown by Mrs. Grew (p. 152). An example of her readiness to adopt the statements of secondary writers without checking them is afforded by an anecdote she borrows from Mazure. Admiral Herbert is said to have risen from a bed of sickness to denounce Bentinck's suggestion that Mary should only become queen-consort. Unfortunately, Mazure identified the hero of this episode (described by Mulgrave in *Some Account of the Revolution*), 'William Herbert', as Admiral Herbert, whose christian name was Arthur. It is clear that William Harbord was the person indicated.

Apart from these errors of judgement there are a number of serious lapses. In view of recent examinations of the subject, it is disappointing to find it said (p. 8) of the Navigation Act of 1651 that it 'amounted to a declaration of war on Holland'. Less excusable still is the statement that at the time of the Rye House Plot Shaftesbury 'had already made good his escape to France' (p. 68). That country was the last place in which a whig refugee would seek asylum. In point of fact, Shaftesbury had died in Holland about six months previously. It is probable that few modern naval historians would agree that Torrington 'suffered a disgraceful

that just as Burnet embroiders his original narrative, so Macaulay adds embellishments to Burnet.

¹ *The Memoirs of the First Lord Lonsdale*, ante, xxx. 94.

² When William meant to resign his crown in January 1699 he plainly informed Heinsius and others of his determination, and even drafted a farewell speech.

³ *Memoirs of Mary* (ed. Doebner), pp. 21-2, and the notes Halifax made of his conversations with William, Foxcroft, *Life of Halifax*, ii. 242-4.

⁴ Müller, ii. 210.

defeat off Beachy Head' (p. 174), or that 'the French fleet was defeated and destroyed, and its remnants burnt' at La Hogue (p. 204). In all questions affecting Marlborough's conduct Mrs. Grew agrees with Macaulay's extremely hostile and unfair estimate. Passing over her narrative of 'Marlborough's plot' in 1692,¹ a protest must be entered against the following sentences: 'This failure of the naval campaign [at Brest] was at least in part to be attributed to jealousy of Talmash on the part of Marlborough, who had betrayed the design to France. It had the desired effect of reinstating Marlborough in the naval command, as his treachery was unsuspected' (p. 229). The extent of Marlborough's guilt in 1694 has already been discussed in this Review:² it may be added that there is no proof that he was jealous of Talmash. He never held any naval command, and was not reinstated in any of his former positions as a result of Talmash's death, nor for some years after that event. A final complaint must be made about the unscholarly way in which references to authorities are often supplied. Notes such as 'see A. Ward on the Hanoverian Succession' are unworthy of a serious biography. The size of works like the *Thurloe State Papers* renders imperative a reference to volume and page.

It will be seen that there are serious defects in this book, particularly in the historical background to the picture of the king and his favourite minister. On the other hand, it contains valuable information and ought not to be neglected by any student of the Revolution of 1688. If thoroughly revised and purged of its present errors it would justly be reckoned a highly creditable piece of research work. Its subject is certainly important enough to justify a second (and improved) edition.

GODFREY DAVIES.

Historical Manuscripts Commission. Report on the Manuscripts of the Marquis of Downshire, preserved at Easthampstead Park, Berks. Vol. i (in two parts). Papers of Sir William Trumbull. Prepared and edited by E. K. PURNELL.

SIR WILLIAM TRUMBULL played a prominent part in public affairs for fourteen years (1683-97) during the period of the English revolution, both as a diplomatist and as a statesman, and he added to his various important appointments a wide and influential circle of friends, so that nearly all the outstanding figures of the time have made their contribution to the pages of this volume. But it is his less-known correspondents who provide the most valuable letters in the collection. Numerous papers are concerned with his efforts to allay the persecution of French protestants—among whom many resident English suffered—after the Revocation in 1685. Several eyewitnesses send him good accounts of the great siege of Buda in 1686, and of the fate of the many English volunteers there. Sir Peter Wyche, writing from Hamburg, describes North German affairs in 1685-6, and Dr. John Robinson at Stockholm does the same for Sweden in 1694-5. Letters from the chancellor, Sir Charles Porter, give some useful comments on Irish politics in 1695. The battles of Beachy Head, Steenkerque, and Landen, and the recapture

¹ Cf. *ante*, xxxv. 373.

² *Ante*, ix. 130.

of Namur are all mentioned in some detail, and Stanhope writes an interesting letter from Spain in 1707 describing the military situation there. Many other papers come to Trumbull during his secretaryship of state (1695-7) from spies whose information is usually more regular and reliable about their own pecuniary embarrassments than about French plans or Jacobite plots.

But the most valuable of the papers are those which relate to Turkey, where Trumbull was ambassador from 1687 to 1691. With the exception of a few scanty references in the *State Papers and Correspondence* edited by J. M. Kemble in 1857, and in the *Lexington Papers*, these letters are the first original authorities to be printed dealing with the efforts of England during the war of the Grand Alliance to procure peace between the Emperor Leopold and Turkey, so that the former might be free to turn all his forces against France. This attempt to mediate was directly due to the inspiration of William III. In 1689 Trumbull received orders from Shrewsbury to promote a pacification in the East, and for the next ten years a fierce diplomatic struggle raged at the Porte between English and French influence, for Louis XIV fully understood that the essential condition of success, or even of safety, in the West lay in the continuation of the Turkish war. Events in Turkey during the last decade of the century were thus of vital importance to the whole of Europe.

These letters tell nothing of Trumbull's own negotiations, but give a fairly complete outline of the embassies of Sir William Hussey, William Harbord, and the beginning of Lord Paget's (1691-3). Hussey's short embassy was stultified by insincerity at Vienna, and pride and French intrigue at Adrianople. The emperor had no wish to end the war except on his own terms, but he could not openly resist the urgent demands for peace which came from London and The Hague. He consequently adopted the shabby device of giving Hussey's mission his outward approval, while he secretly strove to frustrate it by separate and underhand negotiations with the grand vizier, through the agency of Count Marsigli, who had been sent with Hussey as secretary. To keep both Hussey and Paget, then ambassador at Vienna, ignorant of this intrigue, their letters were frequently stopped, perused, and, if necessary, kept back. Paget complained bitterly to Trumbull, 'More unhandsome dealings than has passed in this transaction I have not observed anywhere' (p. 386). At Adrianople the vizier, Mustafa Kuprili, who 'had no more intentions to make peace than to turn Christian' (p. 382), received Hussey courteously in June 1691, but told him plainly that unless Vienna offered definite and satisfactory proposals the war must continue. Yet Hussey and Collyer, the Dutch ambassador, still resolved to follow the vizier to Belgrade in the hope that peace might be arranged between the generals in the field. The 'solemn absurdity' of this hopeless quest was fortunately prevented by the defeat and death of Mustafa at Szalankeman. For the moment it seemed as though the disaster might incline the Turks to peace, and the French ambassador, the marquis de Châteauneuf, 'began to be what was never before, uneasy' (p. 383). But all hopes were destroyed by the death of Hussey in September.

During the next seventeen months the English were without an ambassador in Turkey, for Harbord died as soon as he reached Belgrade

(31 July 1692). Châteauneuf was indefatigable in seizing this opportunity, and several letters bear witness to his energy and skill. He even used the daughter of his dragoman, 'a notable, pert, prating lass', to penetrate into the harems of great men and 'to bring over the very women to be of his party' (p. 397). His success was proved by the unfavourable reception given to the overtures of Heemskerk, the Dutch ambassador at Vienna, who, on the death of Harbord, hurried down the Danube to resume negotiations. Lord Paget, who arrived at Adrianople in February 1693, with offers of peace on the basis of *uti possidetis*, was given a polite welcome (not always customary in Turkey), but his proposals were ignored, and the harsher ones of Heemskerk were made public in order to stir up renewed zeal for the war among the soldiery (pp. 419-20). To Paget's later negotiations there are only a few scattered references, but there is a useful summary of events at the congress of Carlowitz, where he finally achieved his purpose, though too late to influence the war in the West.

These papers also contain much miscellaneous information about the Levant Company and its factories in Turkey, which forms a welcome addition to that already printed in the manuscripts of Mr. A. G. Finch, vols. i and ii, and of the duke of Portland, vol. ii. Ample evidence is revealed of the conservatism, the lack of initiative, and the restrictive policy of the company, which contributed largely to its decline in the following century. It discouraged risk and individual enterprise, and aimed rather at close supervision, concentration in a few ports, and a carefully regulated stream of trade with certain profits. Thus it condemned the 'hazardous trade' at Alexandria (p. 295), it was 'absolutely against' establishing new factories (p. 303), and by its 'unintelligibly prudent' restrictions during the war with France it gave an excellent opening to interlopers (p. 431). Meanwhile the French swarmed in all the Levant ports, and filled 'every little hole with one agent or another', thus laying the basis of their future prosperity. One writer gives a striking account of the distress in the Constantinople factory caused by the loss of the Turkey fleet in 1693 (p. 431), while the dangers which those merchants encountered who lived in the Levant are well illustrated by the graphic descriptions of the great Smyrna earthquake in 1688, and of the same city so terrorized by a small band of Algerian desperadoes that the Europeans dare not move out of their houses.

In short, this volume forms one of the most important authorities yet printed for the study of the diplomatic and commercial relations of England and Turkey at the close of the seventeenth century.

A. C. WOOD.

Peter von Meyendorff; Ein Russischer Diplomat an den Höfen von Berlin und Wien. Politischer und Privater Briefwechsel, 1826-1863. Herausgegeben und eingeleitet von OTTO HOETZSCH. 3 vols. (Leipzig: Gruyter, 1923.)

PROFESSOR HOETZSCH, the author of a useful compendium of modern Russian history, has printed a great mass of the papers of the Baltic baron, Meyendorff, who was Russian ambassador at Berlin and Vienna between 1839 and 1854. While the editing leaves something to be desired, and

Meyendorff achieved no very striking diplomatic failure or success, the contribution is of unquestionable value. By far the greater part of the 1,064 pages which cover the active diplomatic career is occupied by his confidential letters to Nesselrode, written in supplement to his official dispatches, and designed, at the chancellor's discretion, to be laid before the tsar. Both their sincerity and their importance are vouched for by the character of Meyendorff himself, unmistakably that of a firm, shrewd, disinterested, well-educated man who atoned for a certain lack of sympathy and imagination by a complete devotion to duty. A perfect servant of Russia, he was born and lived remote from all Slavonic influence, and Pan-Slavism shared with parliamentary institutions the expression of his deepest contempt. To maintain by force a political and social situation which suited his master and himself was his sincere and simple ideal, and Nicholas was not slow to recognize what his system owed to Meyendorff and his fellow-Germans.

A veteran, at seventeen, of the 1813 campaign, he turned to study politics under Capo d'Istria, and practised diplomacy at Brussels, Madrid, and Vienna, where a catholic marriage made him brother-in-law of Buol. Stuttgart followed, and in 1839 he found himself ambassador at Berlin, then reputed not a post of business. Under Meyendorff a very different *tempo* came to prevail, and the Russian embassy took cognizance of the affairs of all western Europe. The advent of Frederick William IV in 1840, who began by saying that his army was the vanguard of the tsar's, gave Meyendorff an inexhaustible field for study and for anxiety—anxiety lest the king might yield to the seduction of French ideas rather than to the menace of French bayonets. At the close of the year he could rejoice that the eastern affair was ended, Thiers's threatening system slain, England and France rendered incapable of combining against Russia, Germany more united and stronger against France than for twenty-five years past. The danger of a 'constitution' in Prussia, however, appeared imminent, and the more deadly for Russia because of its probable effect upon the Poles of Posen and through them upon their Russian brethren. The 'Anglomania' of the king, and especially his nomination of Bunsen to London, were therefore the targets of Meyendorff's most pointed invective, for in his eyes a constitution would detach Prussia from Austria and Russia and open the door to the revolution, while the pietistic movement was contemptible. Bunsen is 'rusé jusqu'à mensonge . . . poltron comme Scapin . . . savant-laquais de place'.

The tsar, by his visit in 1843, seemed to have restored his ascendancy, but early next year Meyendorff reports that those who approach the king most closely are terrified by the growing confusion of his mind and that his government is 'spottschlecht'. For years, none the less, Meyendorff held that the strength of the administration, the fidelity of the army, and the wisdom of the people would prevent any violent explosion, although the spread of communistic doctrines made him anxious.

In November 1846 he reports that 'our constitutional bomb is about to explode,' since all remonstrances are shattered against the quasi-religious conviction of the king. But in April when the king spoke (like no other king since David, said Ranke) it was in the tone of Nicholas, and Berlin declared that the whole land sorrowed save 'zwei Dörffer',

Trautmansdorff (the Austrian) and Meyendorff. The agitation which followed only faintly foreshadowed the distress of 1848, when Meyendorff had to strain every nerve at first to keep Prussia in line with the associated empires and afterwards to save her monarchy from the wreck. The republicans, he declared on 25 March, sympathized with the Poles so strongly that their victory would bring about an immediate Russian war. He welcomed trouble in Schleswig-Holstein as a diversion of Teutonic patriotism from its anti-Russian fury. Second only to the Polish peril he ranked the French, since without a monarchic Prussia Germany would be defenceless against the ideas and armies of the west. His hope lay in the fidelity of the Prussian army, with its hereditary officers poor but intensely class-conscious, its N.C.O.'s proofed against ambition and conspiracy by the prospect of lucrative civil employment, and its rank and file proud of their uniform.

In February 1849 he repeated that France which had given the revolution to the Germans would give those blind and servile imitators the restoration also, perhaps when the ambitious mediocrity, Louis Napoleon, had been replaced by Henri V. From the entry of the Russian troops into Transylvania the Austrian and Slesvig questions fill the foreground, and Meyendorff's task is complicated by the rapid revival of 'la morgue prussienne' of a people which regards itself as conquering and unique. To break with Frankfort, make peace with Denmark, and return to the principle of estates became the policy which Russia urged upon Frederick William and his ministers, while as early as November Meyendorff blesses Louis Napoleon as a future emperor who will wage war against the republicans and socialists of France. No Russian ambassador, however, could make headway against German ingratitude, Prussian pride, the increasing irresponsibility of the king, and the feebleness of his ministers. In July 1850 Meyendorff had the happiness of announcing peace with Denmark, 'a sharp thorn which England and ourselves have drawn from the foot of Europe'. Then, after he had dealt with thirteen Prussian foreign ministers in ten years, the tsar released him from further 'mad-doctoring', and in October he was in contact with Schwarzenberg—'de l'étoffe des Richelieu'—at Vienna.

During the next four years the outstanding features of Meyendorff's career were the part that he played in the convention of Olmütz and in the diplomacy of the Crimean war. The Olmütz interview, he reports, owed its origin to Francis Joseph, since Schwarzenberg had twice refused, and went there merely as a pacific demonstration. Palmerston's identification of Prussia with the cause of political liberty in his view did much to deter Austria from war.

In the Turkish affair Meyendorff argued at every stage for peace, but predicted (9 June 1853) that if war broke out Austria would do everything that Russia asked. While recognizing Lord Stratford's superiority to his colleagues at Constantinople he discredited the legend of his omnipotence. He cordially approved the invasion of the principalities, and as late as 21 July confidently expected an immediate triumph. During the miserable year which followed he was struggling against ill health and political misfortune. The Turkish challenge to Russia's right of protection

and surveillance of the freedom of the orthodox cult in Turkey was, as he clearly perceived, the heart of the problem, and he would have no congress without the preliminary recognition of this right by the powers, and no treaty of peace without its confirmation, even if inconspicuous and in vague language. At the same time he did not attempt to deny that the intervention of Europe in Eastern affairs in general had been consecrated by the convention of 1841. He welcomed Sinope as humbling the Turks and enabling the Russians to quit the war with honour, as the sad ministry of Aberdeen desired only to exist from day to day and no matter how, while Napoleon might be bought off by removing from the treaties the proscription of his family. On 7 January 1854 he held that the new war could only injure Russian commerce and expose Reval, Odessa, and Batoum, and although ten weeks later he thought that the allies would seek employment by attacking Sevastopol his correspondence with Paskevitch in May revealed no suspicion of what the near future held in store. What has become, he asked once, of the old England of the Burkes, the Pitts, and the Castlereaghs? The whole indeed shows a notable inferiority to the Prussian, whom he sincerely styled his friend, while describing him, in 1852, as a student, a man of cigars and ill-kempt beard, and inconsiderate. Yet Meyendorff was destined to the amazing honour of being described by Bismarck as his master. W. F. REDDAWAY.

The Records of the Borough of Leicester, 1603-1688. Edited by HELEN STOCKS with the assistance of W. H. STEVENSON. (Cambridge: University Press, 1923.)

THIS is a valuable continuation of the well-known volumes edited by Mary Bateson. Almost every page contains matter of interest, the introduction is comprehensive, and the index unusually full. Many sides of civic life are illustrated by the records. In 1607 a gibbet had been thrown down, and the mayor, who had laid the blame on some children, had to stand bareheaded during his examination, and by way of punishment was confined to his house for three weeks. Leicester suffered often from plague during the seventeenth century. We read that in 1609-10 the 'visited people' were hurled in, and a little later comes the description of the death of a young man who sickened of the plague at Lutterworth, was turned out of the house, and died in the fields. At one time the mayor gave orders that during the time of sickness all dogs and cats should be killed or kept indoors (p. 260). Other noteworthy details are: the visit of a deputation to Nottingham (p. 152) in 1613-14 to see how the mayor and corporation there received the king on his progress; Laud's approval (p. 270) of the resolve to move the library from the chancel of the 'faire and Beautifull Church' into a place provided, and his confidence that if a good stipend is provided for the keeper 'the stalles will fill apace'. References to the free school often occur. On p. 357 the school rules are given in full; holidays amounted to about six weeks in the year; there were also half-holidays at assize and fair time and 'the day before potacion and the day after', also every Saturday and, at the discretion of the master, every Thursday; according to the ordinance of parliament

the second Tuesday in every month was a whole holiday. A Leicester man writing in 1629 describes a good schoolmaster (p. 231) as 'one of the best Jewels and most necessary men (next after the Guides of our Soules to Heaven) which the Comen Welth can have to profit and polish with his hand, the best Jewels which God geves us, our Children'. These Leicester jewels were undeniably rough diamonds: once they 'barred out' their master and smashed the school windows. The cost of mending was 5s. 6d., and before long 10s. more had to be paid, 'the windows being foul broken'. Some years later the town decided that in future the school windows were to be mended 'at the charge of the breakers or by a joint charge of all the scholars'. Possibly the window-breaking was a protest against the list of school books given on p. 399: Calvin's Institutions and Epistles for prose, Minucius Felix and Sulpicius Severus for history, Daport on Job and the Canticles for poetry. Puritanism was strong at Leicester: the punishment of the stocks was once inflicted for ringing the church bell, and in 1652 parents were fined for allowing children to play on the Lord's day.

The handwriting of these records is apparently very bad: on pp. 295-6 the word *illegible* occurs twenty-three times in forty-one lines. But some mistakes in transcription can be easily detected. On p. lii 'mystery' should be 'hystery' (history), as on p. 399; 'examineth' (pp. 188, 203, 206, &c.) should surely be 'examine'; 'traying' (p. 237) should be 'trayning'; 'OO weight of hemp' (p. 268) should be 'CC weight' (i. e. 2 cwt.); 'Pulton De pare Rege' (p. 290) should be 'Poulton De pace Regis (et Regni)'; 'dorinx' (p. 353) should be 'dornix'; (the honour of) 'Tutburne' (p. 379) should be 'Tutbury'. Some passages should have been queried, e. g. p. 33, 'our success is well neare as bad as shoue of the old Sheppey Camdyn'; does this conceal Chipping Campden? 'Shoe' (of recreacion, p. 62), may be 'show', but 'the old bonds of they there tenants' is puzzling; possibly 'they there' should be 'theythere'. What does W. Hericke (p. 77) mean when he concludes his letter; 'and so refer me to your sensevers'? Did he mean 'your sense ever(e)'? A hempdresser writes (p. 257) that he is willing to work in 'sast or beaten hemepe'; 'sast' is not in the *Oxford Dictionary*, but 'fast', in the sense of rope, is. Finally, who were the 'boulard schoolers att John Kings in Leicester' (p. 415)?

C. A. J. SKEEL.

Les Hôpitaux et la Charité à Paris au XIII^e Siècle. By DOROTHY LOUISE MACKAY. (Paris: Champion, 1923.)

DR. MACKAY's researches on the charitable institutions of medieval Paris were begun at the university of California, but her book, we gather, is substantially the thesis which she presented for the doctorate of the university of Paris, and most of her work upon it was done in France. The author has evidently many of the qualities which make a capable and successful historian. She seems to have investigated with great thoroughness the authorities, both original and secondary, which throw light on her subject. The book is neatly put together, and Dr. Mackay is to be congratulated on her command of the French language.

Dr. Mackay of course carried out her work under the direction of American and French scholars of much greater experience and, as she doubtless thought, of much greater wisdom than herself. Presumably, too, it was a condition of the acceptance of her thesis that she should have it published. Nevertheless, though we exonerate the author, we are convinced that to publish it as it now appears was a mistake. There are 168 pages in the book, and everything which it has really added to knowledge would go comfortably into fifteen pages of this Review. The truth is, as Dr. Mackay frankly recognizes, that little can be learnt about her subject. So far as they actually relate to the thirteenth century, the contents of the thesis refer almost entirely to the Hôtel-Dieu at Paris, and while it may be true, as Dr. Mackay argues, that lesser institutions would have liked to imitate that great hospital, it is obvious that few of them could succeed. Further, the most interesting and instructive parts of the book are based on authorities dating from the fourteenth and fifteenth centuries, and the author assumes much too lightly that conditions then were the same as in the days of St. Louis. But, whatever century furnishes her facts, there is little in Dr. Mackay's book that has not appeared already in Coyecque's work on the Hôtel-Dieu or in the publications of other modern scholars such as Lallemand, Le Grand, Brièle, and Boullé. The book, it is true, brings together conveniently some of the results of their researches, which are not easily accessible to most Englishmen; but it is not comprehensive enough to be treated as a popularization of their writings. And, except here and there, it is not an original contribution to knowledge.

But it is part of the modern game of 'research' that it should be made to look like one. So there are a great many cabalistic foot-notes, the meaning of which can only be ascertained by turning to the end of the book, where the hundred pages of text are followed by fifty-nine devoted to *Pièces Justificatives*, Bibliography, 'Documents', Index, and Table of Contents. The last is harmless, though superfluous; the Index is welcome and carefully compiled; and the Bibliography, while it would be unnecessary if the text were abridged, is of modest length and seems, unlike many such lists, to include only books with a bearing on the subject under investigation. Of the *Pièces Justificatives*, however, very few have not been printed before in modern and accessible publications; many of them, too, are in any case of slight interest. But it is in the sixteen pages of 'Documents', a list of the original authorities used by Dr. Mackay, that we see at its worst the pedantic ostentation which nowadays mars so much historical writing. In the foot-notes to the text an original authority is not as a rule cited under its title or description, but under a symbol which, no doubt unintentionally, suggests to the innocent reader a manuscript in the Bibliothèque Nationale or some remote archives. But Document '1 J' is just Mansi's indispensable *Collectio*, and many similar cases might be given. The worst of it is that sometimes a single authority is referred to in the same note under two designations. For example, on p. 19 a statement is supported by a reference to 'Documents, 8 B; *Pièces Justificatives*, 18'. It is thus apparently vouched for by two authorities. But Document 8 B proves to be a papal

Bull printed by Lasteyrie in the *Cartulaire Général de Paris*, and Pièce Justificative 18 is the same Bull. Again, in n. 5 on p. 11 we read, 'Mansi, t. IX, p. 794, can. v; Documents, 1 J'.

Miss Mackay was doubtless told that this was the proper way to do things, and she cannot be blamed for believing it. We are sorry to write so severely of a book by a promising scholar. But we cannot forbear this protest. Historians pride themselves on having got rid of the pedantries of Dryasdust, but it may be that a worse evil is coming in their place. Historical research now has an elaborate technique, and there is danger lest the technique should become the end instead of a means.

W. T. WAUGH.

Αἱ Παλαιαὶ Ἀθήναι. By D. GR. KAMPOUROGLOS. (Ἐν Ἀθήναις, Δεπύστα, 1922.)

Μελέται καὶ Ἑρευναι. By D. GR. KAMPOUROGLOS. Pts. i, ii. (Ἐν Ἀθήναις, Ἑστία, 1923.)

MR. KAMPOUROGLOS is the greatest living authority upon Athens during the Turkish period. He has devoted his whole life to the subject; as far back as 1889 he began to publish his collection of materials for the *History of the Athenians* under the Turks, and he has written in three volumes that history down to the Venetian conquest by Morosini; he has more recently issued historical guide-books for both Athens and Attica in the Turkish times, besides monographs on the monastery of Daphnī, the Rhizókastro, and the historic family of the Benizéloi. In his latest publications he has summed up the results of all his labours—labours of love extending over half a century. It only remains for him to continue his *History* down to the war of Independence. Studies such as his will soon be facilitated by the inauguration of the unique collection of books upon this little-known period presented by Mr. Gennádiος to the American School at Athens.

In the present work on 'old', as distinct from 'ancient' Athens, the author presents a topographical and historical account of the walls, 'the castle', the city and its life in Turkish times, with special regard to the churches. He pours forth a stream of tradition, as well as documentary lore, over all that concerns Turkish Athens, a picturesque and romantic place, enriched with many legends. Not a few pages are of special interest to British readers, such as the genealogy of the 'Maid of Athens' (p. 283) and the remarks on the street in which she resided at the time of Byron's first visit. The author shows that the real title of the Russian church is not St. Nikódemos but the Virgin of Lykódemos, the name of an old Athenian family. He gives an interesting history of the Capuchin monastery, which included the choragic monument of Lysikrátēs, and describes the local government, racial elements, and family life of Athens. In his *Studies and Researches*, of which two parts have so far been published, he deals with the so-called 'Catalan Madonna', formerly in the church of St. Elias, but now in the Byzantine museum of the Academy. He considers this to be not Catalan, but Genoese, interpreting the letters on one of the shields in the fresco as 'Spinola', which he connects with the

'Conradus Spinula' scratched with the date, 20 January 1453, on one of the columns of the Theseion, while the other shield he attributes to one of the Acciajuoli. He also treats of the foundation of the monastery of Pentéle and of the medieval pillar on the road to Marathon. He concludes with some remarks on the place-names of Attica—ancient, Byzantine, Frankish, Albanian, Turkish, and modern Greek. He would confer a further benefit upon all students of this period if he would publish a map of Turkish Athens, showing the principal buildings. WILLIAM MILLER.

'Η Μάχη καὶ ἡ Ὀθωμανικὴ Αἰτοκρατορία. 1453-1821. By AP. B. DASKALAKES. ('Εν Ἀθήναις, τύποις Ε. καὶ Ι. Μπλαζονδάκη, 1923.)

THIS monograph on Maina, the work of a patriotic Mainate, is based upon practically everything that has been published about the history of that heroic land, which bore somewhat the same relation to the rest of the Morea as Sphakia to the rest of Crete. Compelled to pay the capitation tax in 1614 and 1670, Maina enjoyed practical independence—for the nomination of Gerakáres as bey in 1688 was never made effective—down till the institution of the system of beys, first appointed by the capitan pasha in 1776, of whom the last was the famous Petrobey Mavromicháles. The author examines the causes of Mainate autonomy and finds them to have been the warlike character of the people, the difficulty and barrenness of their country, and the scanty enthusiasm of the Turkish soldiers for a campaign in a land where there was little to plunder—all reasons which explain the somewhat similar existence of Montenegro. He describes the abortive negotiations with the duc de Nevers and devotes a long chapter to the Mainate colonies in Tuscany and Corsica. The Tuscan colonies, founded in 1671, have passed away, as Lámpros showed; but that at Cargèse, described by Tozer, still preserves some characteristics of its old home and some relics brought by the first colonists. The author further mentions (p. 119, n. 1) a local tradition that the inhabitants of the islet in the lake of Joánnina are of Mainate extraction. From Cargèse came the two Stephanópouloi, who were sent by Bonaparte to visit Maina, and a third Stephanópoulos, who claimed in 1783 to be a descendant of the emperors of Trebizond, and lawful emperor of Byzantium, a claim which one of his relatives relinquished in 1829 in a memorandum to Charles X of France. Papadóπουλος-Kerameús, the great authority on Trapezuntine history, showed, however, that history ignores the existence of Nikephóros, the alleged son of the last emperor of Trebizond,¹ from whom the claimant traced his descent, just as the Mainate origin of the Bonaparte family is rejected by the present author. The book ends with the propaganda of the 'Friendly Society' in Maina for the war of Independence. The book contains numerous illustrations, including the symbol of Maina, a statuette of Liberty, holding a spear in one hand and a wreath and a scroll in the other, with the inscription: 'Victory or death.' This statuette, which stood outside the bey's house, was carried to Paris as a gift to Bonaparte.

WILLIAM MILLER.

¹ Δελτίον τῆς Ἰστ. καὶ Ἑθν. Ἑταιρίας, ii. 667-79.

Anatolian Studies presented to Sir William Mitchell Ramsay. Ed. by W. H. BUCKLER and W. M. CALDER. (Manchester: University Press, 1923.)

FEW living scholars have attained an eminence in their fields of research which can compare with Sir William Ramsay's position in the field of Anatolia. He is the father of Anatolian studies in the sense in which Mommsen was the father of the study of Roman epigraphy and constitutional law. He has visited and studied in detail a greater proportion of the Anatolian area, in a series of travels extending over a greater number of years, than any of his contemporaries, and his range is as wide in time as it is in space. A Hittite bas-relief, a Greek inscription, a Roman public building, a Byzantine church, a Saljuq caravanserai, an Osmanli racial type, or a Young Turk revolution receive the same masterly treatment at his hands, and he is not one of those archaeologists who ignore literature or are blind to the great personalities who make the dry bones live. His studies in the biography of St. Paul are as admirable as his topographical work upon routes over which St. Paul went about his business.

The present volume is an offering from Sir William Ramsay's English, Scottish, American, German, French, Russian, Austrian, and other colleagues, pupils, travelling companions, and friends; and it makes important contributions to the studies in which the 'mystae' and their 'archimystes' are all adepts, though the list of the published writings of Sir William Ramsay, at the beginning of the volume, shows that the writers have set themselves a formidable task in proposing to add to so great a body of scholarship. The most interesting advances in knowledge are perhaps those resulting from excavations carried out at Sardis and Boghazkeui immediately before the war. The digestion and publication of the material obtained ten or twelve years ago has necessarily been delayed, and therefore much new ground is broken in the papers dealing with these subjects (e. g. Professor A. H. Sayce's on 'The Languages of Asia Minor', Dr. J. Fraser's on 'The Lydian Language', Dr. D. G. Hogarth's on 'The Hittite Monuments of Southern Asia Minor', and Mr. H. R. Hall's on 'The Hittites and Egypt'). In our vision of the Hittites we are now passing out of the simplicity of ignorance into the complexity of half-knowledge. We are presented, for instance, with documents in several scripts and in half a dozen languages, one of which may be a member of the Indo-European family, another a collateral relation of the Indo-European *Ur-Sprache* (a particularly interesting discovery if it is substantiated), while others appear to belong to the same group as the pre-Indo-European languages of western Anatolia. The Assyrian colony which flourished in east-central Anatolia in the latter half of the third millennium B. C. grows in importance as our knowledge of it increases. We begin to realize how many diverse elements had blended in the society which arose in this region after the *Völkerwanderung* of c. 2025-1725 B. C. All the makings of a great new civilization were there, and then the growing organism was destroyed by another upheaval which reached its climax c. 1225-1125 B. C. There is a curious parallelism in this to the premature destruction of Byzantine civilization, of which the social and economic centre of gravity (though not the political capital)

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was situated (like that of Hittite civilization 2,400 years earlier) in east-central Anatolia.

ARNOLD J. TOYNBEE.

Alaska. A History of its Administration, Exploitation, and Industrial Development during the first Half-century under the Rule of the United States. By JEANNETTE P. NICHOLS. (Cleveland: Clark, 1924.)

THE history of Alaska, differing radically from that of other American territories which have acquired statehood, is not without interest to students of imperialism. Although a more natural annex to Canada than to the United States, Russia preferred to sell it to the latter on account of her unfriendly relations with Great Britain. Having acquired Alaska in 1867 the United States promptly forgot about it. Not until 1884 was the district provided even with the rudiments of civil government. After the Klondike gold fever congressional indifference gave way to excessive paternalism, and we find Washington gravely debating the amount and kind of liquor licences to be issued in mining camps four thousand miles away. The Alaskans suffered 'taxation without representation' until 1906, when they were allowed a non-voting delegate in congress. Home rule, in the form of a territorial legislature extraordinarily limited in power, did not come until 1912. In the meantime there were demands for annexation to Canada, and a 'Cordova coal party', a conscious imitation of the Boston tea party. The author contrasts the 'greater efficiency and democracy' of the adjacent Yukon territory of the dominion of Canada; and Alaska's most prominent citizen, Judge Wickersham, asserts that even the present government is 'more offensively bureaucratic' than its Russian predecessor.

The general reader would like to hear more than Miss Nichols has told of the economic development of Alaska; of the salmon fisheries, mines, attempts at farming, and at helping the Indians with herds of reindeer. These things appear only in so far as they thwarted the settlers' demands for home rule. With that movement the author is sympathetic. But it must be remembered that Alaska's white population at its maximum did not exceed 50,000, and, since 1900, has steadily declined to 28,000. The settlements, scattered over an immense area (one-fifth that of the United States), have been badly infected with frontier individualism, violently quarrelling among themselves over the pettiest matters, and only uniting to attack their federal officials; while their delegates to congress have been accustomed to set all Washington by the ears. If congressional government in Alaska has been a caricature of the British colonial system before 1775, the Alaskans have in many respects behaved as caricatures of the colonists.

S. E. MORISON.

La Vie et la Pensée de Jules Michelet, 1798-1852. Par GABRIEL MONOD. 2 vols. (Paris: Champion, 1923.)

Michelet and his Ideas on Social Reform. By ANNE R. PUGH. (New York: Columbia University Press, 1923.)

THOUGH the voluminous writings of Michelet are rarely read nowadays, the most eloquent and romantic of French historians was an interesting

personality who touched the life of his time at many points. His memory has been kept green by the pious labours of his widow, who survived her husband for twenty-five years, and by the lifelong devotion of Gabriel Monod, who, despite wide differences in training, temperament, and creed, never wearied in his task of study and interpretation, of which the first-fruits were a volume published in 1875. His delightful *Jules Michelet*, which appeared just thirty years later, contained a good deal of fresh material; but the field was wide, and, after retiring from his chair of medieval history at the Sorbonne in 1905, he was afforded an unexpected opportunity to complete his survey. The daughter of Alphonse Peyrat, a friend of Michelet, endowed a chair at the Collège de France for five years in order that Monod might continue his academic activities. The veteran scholar selected the life and writings of the master 'who taught me to love France', and whose papers had been bequeathed to him by his widow. The lectures, with slight revision, fill the present handsome volumes, which are enriched with a preface by M. Bémont. Such loving discipleship is often mated with partial or total blindness to the spots on the sun; but the critical faculty of the late editor of the *Revue Historique* is never asleep, and it is to him that we owe our knowledge of the vagaries both of Michelet and his wife. The exposure of Mme Michelet's methods as the editor of her husband's journals and papers makes a very curious story, and the only excuse for her transpositions and interpolations is that she believed herself to be acting in the interests of his fame.

If the 650 pages in this book were devoted exclusively to Michelet's career down to 1852, we might resent the draft on our attention; but Monod casts his net far into the waters and brings a rich and varied catch to shore. Born in 1798 and gifted with extraordinary precocity, the young historian grew to manhood during the Restoration, and rapidly assimilated the best thought of his time. Like Cousin and Quinet, who form the theme of two interesting chapters, he sought and found inspiration in German travel and German scholarship; but his first important service to his countrymen was his free translation of Vico's *Scienza Nuova* and his revelation of the significance of the great Neapolitan thinker. In another field his *Précis d'Histoire Moderne* provided students with the first text-book which was more than a mere compilation.

The thirties reveal Michelet in the maturity of his powers. To the erudition and value of the now-forgotten *Histoire Romaine* Monod pays a tribute of surprising warmth, and the *Origines du Droit* is praised for its 'great beauty'. But the author's highest eulogy is rightly reserved for the early volumes of the *Histoire de France*. Michelet, he declares, is the greatest artist in the historical literature of France and perhaps of the world; and our admiration is claimed once again for the brightest gems of those sparkling and palpitating volumes which superseded the drab pages of Sismondi and vied with Hugo and Dumas in their power of recalling far-off centuries to life. Yet our guide, himself an expert medievalist, is well aware of the faults of his hero. The famous 'Tableau' of France in the second volume, he points out, though a valuable novelty, was rather a literary masterpiece than a scientific survey of the kind achieved in a later generation by scholars such as Vidal-Lablache; and he confesses

that the well-known paean to the cathedrals is a little hysterical. Yet, despite all the qualifications suggested by eighty years of progress, the six volumes on medieval France retain an honourable place among the classics of precritical historical literature.

With the forties we reach a new stage in the development of a temperament almost morbidly impressionable to the changing currents and atmosphere of the time. The second decade of the July monarchy witnessed a rapid growth of radical sentiment, which found expression in socialism and anti-clericalism as well as in the clamorous demand for political reform. The campaign waged from their chairs at the Collège de France by Michelet and Quinet against the Jesuits is once more described in these pages, and no attempt is made to conceal the fact that the polemical habit exerted a damaging effect on the scholarship no less than on the worldly fortunes of the iconoclasts. In his picture of medieval France Michelet had done full justice to the monarchy and the church no less than to his beloved 'people'. Henceforth he pursues a vendetta of increasing bitterness against kings and priests. With the publication of *Le Prêtre*, *Le Peuple*, and *Les Jésuites* we reach the turning-point. The most emotional of historians had never been conspicuous for measure; but henceforth his voice rises to a scream, and he uses history as an armoury for missiles in the warfare of the passing hour. It was in this polemical mood that he wrote his *Histoire de la Révolution Française*, a wrong-headed work of genius, and the last of his writings analysed by Monod. The scholarly narrative breaks off at the *coup d'état* of Louis Napoleon; but the fact that the survey was never completed is of no great importance, since the best work of the historian was done.

Miss Pugh's scholarly volume was published too soon to benefit by Monod's exhaustive treatise; but she has made diligent and fruitful study of the writings and personality of the historian and of the mass of biographical and critical material which has gathered around him. The two themes which receive special attention are anti-clericalism and woman's place in society. The student of history will find most profit in the interesting chapter entitled 'Women in Michelet's *Histoire de France*'. G. P. GOOCH.

A Guide to the Manuscripts preserved in the Public Record Office. By M. S. GIUSEPPI. Vol. i (*Legal Records, &c.*). (London: Stationery Office, 1923.)

In his introduction Mr. Giuseppi sets out the changes made in successive Guides to the Public Record Office. These form an interesting study; for they reveal a conflict of systems. Records may be grouped, for purposes of description, according to the nature of their subject-matter; or else one may take for basis of classification the office or court which had the official custody of the records prior to their removal to the central repository. A third method of classification, that according to diplomatic form, followed in Mr. Hubert Hall's *Formula Books* and in his *Repertory of British Archives*, has never been adopted in the official guides. It does not easily lend itself to a general survey of documents originating in various offices, of which each followed a different procedure.

In the first two editions of Mr. Scargill-Bird's *Guide*, records were arranged throughout under subject-headings, and the archives of different courts were consequently merged in a single series. The third edition, published in 1908, separated the records of chancery, exchequer, and other courts of law, but continued to arrange each according to subject. It thus reverted to the system followed, fifty years earlier, in Mr. F. S. Thomas's *Handbook to the Public Records*. Mr. Giuseppi works out to its logical conclusion the change introduced in the third edition of Scargill-Bird, for he distinguishes the several branches of the exchequer (which were there still grouped in a single series), and wholly abandons the subject-headings of his predecessors. These were sometimes identical with the class-titles of the records, but more frequently were general headings, such as 'Judicial Proceedings', 'Crown Lands', 'Feudal Tenures', 'Wales', &c., in which different classes of documents were artificially united. In the new *Guide* the records of each court or office are for the first time uniformly described under the title of the record. The arrangement consequently follows that of the schedules prefixed to the two later editions of Scargill-Bird, and these are dispensed with as being no longer necessary.

The new arrangement will be found a great improvement by persons already familiar with the contents of the Record Office. They will be able to refer to a class of records more promptly if it is described under its particular title than if they have to search for it under an arbitrarily chosen general heading. The change may be made clearer by concrete illustration. In the new *Guide* the Exchequer K.R., Various Accounts, are brought together under a general heading. In its predecessor each class of accounts was described separately under its sub-heading. In the section 'Chancery', heading 'Enrolments', under the sub-heading 'Patent Rolls', Mr. Giuseppi gives a full description of that class of documents. In the third edition of Scargill-Bird the information given under the heading 'Enrolments', sub-heading 'Patent Rolls', had to be supplemented by that given under the headings 'Office and Appointments, Grants of'; 'Crown Lands, Bargains and Sales of'; 'Fee-farm Rents, Bargains and Sales of'; 'Crown Leases, Enrolments of'; 'Denization, Letters Patent of'; 'Baronets, Creations of'; 'Lunacy Inquisitions'; 'Specifications of Patent Inventions'; 'Commissions'; and 'Palmer's Indexes'. On the other hand, the different classes of Ancient Deeds, which were formerly entered under one heading, are now each described among the records of the office to which they belong. An inevitable consequence of the new method is to disperse different classes having a common subject-matter, but that drawback is remedied by a greatly improved index, enlarged from the thirty-two single-column pages of Scargill-Bird to fifty-seven double-column pages in the new *Guide*.

It will be seen that the difference between the present volume and the previous *Guide* is mainly one of arrangement. New introductions are provided to most of the sections, in particular to those dealing with the several departments of the exchequer. The records of the supreme court of judicature and of the high court of admiralty, as well as those of a few minor courts and offices are described in greater detail. Improved lists are given of the miscellaneous books of the different departments of

the exchequer. Certain records which have been transferred to the central Record Office since the publication of the third edition of Scargill-Bird are here described for the first time, chief among them being the modern records of the justices of assize, extending back to the seventeenth century. The progress made during the past fifteen years in classifying previously unsorted miscellanea may be seen in the revised account given of the Chancery Files. Nevertheless, to nine-tenths of its extent the new *Guide* is the old *Guide* rearranged.

Yet there is another obvious difference between the *Guides*, for Mr. Giuseppe's volume, although nearly equal in bulk to Scargill-Bird, is but the first volume of two. The second volume, now in the press, will deal with the records of the State Paper Office and of the public departments. Very brief accounts were given of these in the earlier editions of Scargill-Bird, and even in the third edition their description filled only 49 out of 460 pages, so the extended scale of the proposed new account becomes at once apparent.

All the changes which we have mentioned are decided improvements. They are changes, doubtless, on conservative lines, and the *Guide* remains what its forerunners were, an official and somewhat austere indicator of the contents of the public archives, a finger-post rather than a cicerone. It is the task of other than their official custodians to assess the value of the records here enumerated, to characterize them and give something more than a formal description of their contents. Otherwise we have no criticism to offer, save the inevitable one, that the index, full as it is, is not exhaustive. To cite an instance, the Scrope and Grosvenor proceedings mentioned on p. 58 might usefully have been indexed under Scrope.

H. H. E. CRASTER.

English Place-names in -ing. By EILERT EKWALL. (Lund: Gleerup, 1923.)

IN this volume Dr. Ekwall has undertaken the study of a particular type of place-name as found throughout England, giving us an interpretation not only of the individual names but, what is far more important, endeavouring to draw from them those general historical conclusions which, since the days of Kemble, we have realized to be implicit in them. Studies of this kind are peculiarly difficult owing to the vast mass of material from which the forms for the names in particular question have to be selected, and one must in the first place congratulate the author on the very small number of names which have slipped through his net. One might note the omission of Iffin in Nackington (1316, *Inq. p.m.*, *Yethynge*) and Wadling in Ripple (Edw. III, *ibid.* *Wodlynge*, possibly not a real -ing name) in Kent, or Pellings Farm in Horsham (1317, *Anc. Deeds*, *Pullynges*) in Sussex, but there is nothing in such omissions which can invalidate any general conclusions drawn from the distribution of names of this type.

As is inevitable in place-name work there are at times forms unknown to Dr. Ekwall which must lead to a modification of his views. His doubts about the 'nutshell' in Nursling must disappear in the light of the ninth-

century form *Nhutselle* in Willibald's Life of St. Boniface. Bossingham is no real *-ingham* name, for the early form is *Bosingkomp* (1264, *Pat. Roll*). *Stocking* in Stocking Pelham would seem to be *stokkin*, 'made of wood', to judge by the form *Stokkene Pelham* (*Feudal Aids*, 1303), and if Westdean in Sussex (p. 109) is, as seems probable, the *æt Dene* of Alfred's will it cannot be a *denn*-name. By a curious slip *Attingham* Hall in Shropshire has been misread or misprinted as *Allingham*, and the real identity of that name with the neighbouring village of *Atcham* overlooked. The name of the hall preserves the older spelling and pronunciation of the village-name.

In the etymologies of these names the author has had a most difficult task. The *-ing* names and, to a smaller degree, the *-ingham* names, with which Dr. Ekwall also deals, present a greater number of cruces than any other set of names, and that chiefly because of their definitely archaic character. Again and again they involve the use of personal names, and types of such, not otherwise known in England and for which we must seek continental Germanic parallels. Of the types we may note especially the evidence for a period in our racial history in which personal names of the nickname-type were freely used by the English, a habit which afterwards dropped out of use and was only revived under Viking influence. At times Dr. Ekwall is perhaps too ready to offer a possible explanation of a name, but there is no harm done if his readers realize that his suggestions are often of a purely tentative character.

In his general conclusions we may note some points of importance to the historian. (1) There are a large number of *-ing* names which must be ruled out of consideration, since originally they did not have the suffix *-ing(as)* at all. (2) That suffix is not merely a patronymic. It may be added to a river-name, e. g. *Aveningas* from *Avon*, now *Avening* (Gloucestershire), just as much as to a personal name, as in *Totingas*, now *Tooting*, from *Tota*. In the former case it must mean simply the 'people that live by the Avon', and when it is added to a personal name it may denote primarily that person's sons, but it was clearly soon extended to cover his household and followers generally. (3) These *-ing* names, as also the derivative *-ingham* names, are common in the east and south-east, rare in the west and south-west, and the difference would seem to be one of date rather than of race, for otherwise it is difficult to see why Anglian Norfolk differs so much from Warwickshire, or Saxon Essex from Wiltshire. On these grounds Dr. Ekwall falls into line with those who attack the validity of the Chronicle and would post-date the conquest of Wessex, but it should be pointed out that place-name evidence does at least agree with the order of the settlements as given in the Chronicle. Sussex occupies a middle position between Kent, where they are most frequent, and Hampshire, where they are least so. The difference of date may not be more than sixty years, but it is clear that, in times like those of the settlement of Britain, habits of nomenclature, especially in so far as they reflected national or family organization, were likely to suffer rapid change.

Dr. Ekwall has written an illuminating and suggestive book which no student of English history before the Conquest can afford to neglect.

ALLEN MAWER.

Short Notices

ALL students of the history of the twelfth century, and especially lovers of John of Salisbury, will welcome Mr. Reginald Poole's admirable essay *The Early Correspondence of John of Salisbury* (From the Proceedings of the British Academy. London: Milford, s. a.), characterized as it is by the learning, accuracy, and ingenuity which we expect from its author. It attempts to determine the order and chronology of the private letters of John of Salisbury included in the former of the two series of his correspondence which have come down to us (1-143 of the printed editions). As we have them, these are, in Mr. Poole's words, 'entirely devoid of arrangement', and moreover are not kept apart from those written by John during the same period (1154-61) in his official capacity as clerk to Archbishop Theobald and in his master's name. One result of Mr. Poole's investigation is to bring to light two hitherto unnoticed visits of John to Rome, which, together with the two formerly recognized and one discovered by Mr. Poole himself and pointed out by him last year in an article contributed to this Review,¹ make up the number of five indicated in *Metal.* iii. 1. The reader of the present paper will be rewarded by not a little novel and interesting matter; occasionally further curiosity will be provoked, as, for example, in regard to the relation of the three persons named Richard known to have existed as witnesses of Exeter documents who seem to be referred to in Ep. 80 as 'magistrum et Peccatorem et filium Remfredi' to the 'B.' of Ep. 90, who appears to have combined in his own person the rank of the first, the surname of the second, and the parentage of the third. Why, by the way, does Mr. Poole call the 'annulum aureum smaragdo optimo decoratum' of *Metal.* iv. 42, with which Adrian IV conferred the investiture of Ireland on Henry II, a sapphire ring? I do not know whether it has ever been noted in connexion with this passage that in Giacomo Grimaldi's diary of the final destruction of old St. Peter's under Paul V, as quoted by Lanciani,² it is recorded that at the opening of the English pope's tomb in the crypt of the Vatican basilica 'a ring with a large emerald' was found upon his finger. Did he perhaps especially affect this particular kind of stone? C. C. J. W.

THE great series of French Ecclesiastical Taxations for which the late M. Longnon did so much valuable work has reached its eighth volume, the *Pouillés des Provinces d'Aix, d'Arles et d'Embrun*, edited by M. Étienne Clouzot under the superintendence of M. Maurice Prou ('Recueil des Historiens de la France'. Paris: Klincksieck, 1923). This covers approximately the same ground as the ancient Provence. The documents printed

¹ *Ante*, xxxviii. 321.

² *Pagan and Christian Rome*, p. 145.

are mainly of the thirteenth and fourteenth centuries, a few of the fifteenth and sixteenth being added in special cases. A careful list is given for each diocese of all the documents of the same class, taxations, collectors' accounts of tenths or synodals, and inventories of property, which it has not been thought necessary to print. The documents are not in all cases printed in full: irrelevant matter is omitted or relegated to the introduction. The index is, for these hard times, unduly lavish. Every variant spelling is indexed separately, a reference being added to the modern name; while under the modern form all the variants are given with their references. Contrary to M. Longnon's practice the dioceses are arranged within their provinces in alphabetical order. The work seems to be done with all the care which we are accustomed to expect in this series. An unexpected slip is the identification of the 'cardinalis albus' in whose lodgings ('librata') at Avignon one of these accounts was presented to the bishop of Sisteron in 1350, with Bernard d'Alby, cardinal-bishop of Porto. The person intended is almost certainly the Cistercian cardinal, William de Curte (1338-61), commonly known as the 'white cardinal' from the colour of his habit. Among the documents printed is an account of a synod of the diocese of Vaison held before the deputy of Robert Hay, official of William Chisholm, the agent of Mary, queen of Scots, and bishop of Vaison, in 1585. It is interesting to note that the word *polegium*, in the sense of a list of benefices, occurs in a letter of the bishop of Sisteron in 1423.

C. J.

The short pamphlet by Dr. Armando Saponi, *Le Compagnie dei Bardi e dei Peruzzi in Inghilterra nei Secoli XIII e XIV* (Firenze: R. Deputazione Toscana di Storia Patria), is a study of the financial relations between the English Crown and two famous firms of Italian bankers in the fourteenth century, based mainly on the entries as to financial business in the Patent and Close Rolls. Since the Bardi from about 1277, and the Peruzzi from the beginning of the next century, carried on a large wool-exporting business, Dr. Saponi's study throws considerable light on the activities of alien merchants in England. But his main concern is with the Bardi and Peruzzi as the financiers of three successive sovereigns. They were specially important after the fall of the Frascobaldi in 1310, and reached their zenith in the closing years of Edward II and the opening years of Edward III: in 1329 the Bardi, in return for advances of £20 a day, were assigned the whole taxes on exported wool, with the condition that no wool should be exported without their licence, and leave to keep a customs officer in every port, to which in 1332 was added the grant of the whole output of tin in Devon and Cornwall. The most novel part of Dr. Saponi's essay is his treatment of the ruin of the two firms. Peruzzi, Segre, and other historians have ascribed it to the repudiation by Edward III of debts owing to them. Dr. Saponi shows that such repudiation did not in fact take place. The document (6 May 1339) which Peruzzi describes as 'a terrible measure' expressly excepts the Bardi and Peruzzi, 'necnon assignationibus dilectis nobis [? nostris] mercatoribus de Societatibus Bardorum et Peruch [sic] factis et concessis dumtaxat exceptis'. The Bardi and Peruzzi lost heavily through the war. But the debts of

the former, at least, appear to have been postponed, not repudiated. The representative of the Peruzzi before leaving England in 1352 acknowledged the receipt from the Crown of a sum of money 'in partial payment of a larger sum'. The company of the Bardi was reconstituted in 1357, and continued to carry on business in England at any rate down to 1391, when outstanding debts on both sides were finally settled. From the point of view of the business men concerned, the partial repudiation involved in this prolonged moratorium was hardly less disastrous than complete repudiation. As Villani says, 'they entirely lost their credit'. Dr. Saporì's own conclusion is that their collapse was due less to sharp practice on the part of Edward III than to the effect of war on banking houses which had heavy commitments in both belligerent countries. 'To have remained neutral would have been to expose themselves to the confiscation of their property on both sides of the Channel. . . . Their fate was analogous to that of nations not immediately interested in a war between powerful states. They are aware of the risk, but though desirous of remaining neutral they end by entering the orbit of the group which controls their supplies and raw materials.'

R. H. T.

Cardinal Gasquet's *The Religious Life of Henry VI* (London: Bell, 1923) and Father Ronald Knox and Mr. Shane Leslie's *The Miracles of King Henry VI* (Cambridge: University Press, 1923) have both to deal with the personal character of the last Lancastrian king rather than with the history of his reign. Whatever view may be taken of his capacity as a ruler, as a man Henry must attract our sympathies. Under happier circumstances he might even have been an efficient king, but it can, I think, hardly be contended that at any time he showed the capacity to grapple with the political difficulties with which he was surrounded, and his mental weakness was surely more than the passing phase which Cardinal Gasquet in his 'Foreword' suggests. As a king Henry's chief merit was perhaps his fidelity to his ministers, but that was rather the outcome of his personality than evidence of political capacity. In some respects Henry was more fortunate than his friends, for even Yorkist writers spoke of him as 'a good simple man', whilst under the first Tudors he was venerated as a saint. That the cult of King Henry began within a few years of his death may be accepted as evidence of the personal regard in which his memory was held. On the other hand, political motives may have had something to do with the development which took place under Henry VII. Cardinal Gasquet's narrative is of necessity based on Blackman's Life, which, as he suggests, may probably have been written with a view to the intended canonization. Blackman also was very probably responsible for the record of the king's miracles in the form in which it now exists. Whilst Cardinal Gasquet is mainly concerned with Henry's personality, in order to bring back to memory what our ancestors believed about the holy king, he also gives the history of the proposed canonization and discusses the Book of Miracles and the history of the *cultus* of Henry VI. The necessary complement is found in the volume edited by Father Knox and Mr. Leslie, who give the Latin text of the miracles with an English translation and a careful introduction dealing

analytically with the original from a religious point of view. Though its direct historical interest is less than that of Cardinal Gasquet's little volume, the publication of the whole record is of value. The history of the fifteenth century in England has been so distorted by later prejudice that it is well to have a presentation of any view in correction of popular opinion. It is curious that Cardinal Gasquet makes no reference to the exhumation of Henry's remains in 1910 as described in *Archaeologia*, vol. lxii, nor to the indication which they afforded that he had met with a violent death.

C. L. K.

In editing *Skene's Memorabilia Scotica, 1475-1612, and Revisals of Regiam Majestatem* (Glasgow: Maclehose, 1923), the late Dr. George Neilson rendered his last service to Scottish history, and the volume, though slender, forms no inappropriate conclusion to a life of scholarship. The *Regiam Majestatem* was a collection of the 'Auld Lawes and Constitutions of Scotland' produced in both a Latin and a Scots version in the year 1609 by Sir John Skene of Curriehill, clerk register. On the fly-leaf of a certain copy of the Latin version were found some odd chronological extracts, and these were published, in 1837, in the second volume of *Analecta Scotica*. No guess was made at the authorship, but when the copy in question passed through the hands of David Laing to Cosmo Innes, the latter had no hesitation in declaring that the extracts, and certain revisions of the Latin text, were in the hand of Skene himself. This conclusion was evidently drawn by Innes about the year 1845, when he was engaged in the great task of editing the *Acts of Parliament*, but the only evidences of his discovery are the pencilled notes in his own copies of *Analecta Scotica* and *Regiam Majestatem*. Final confirmation came in 1916 when Neilson, enjoying a 'rummage round' the shelves of Sir Herbert Maxwell's library, found, upon a Scots version of *Regiam Majestatem*, marginalia corresponding to those in the Latin edition, and indubitably in the hand of Skene. The chronological extracts are not in themselves of value; they seem to have been made by Skene from secondary sources (the *Diary* of Robert Birrel, for example), for his private use, and Neilson is certainly right in supposing that some of the entries bore reference to the controversy about his own office of clerk register. The revisions are more important. They deal mainly with technical points of law and procedure, but the references to Cowell's *Interpreter* are perhaps significant. As Sir George Mackenzie pointed out, the word 'Prerogative' first came into Scottish Law in 1606, and there is no doubt that at this time the Scots lawyers were casting their eyes south. But the real interest of the little book lies in the fact that it makes 'the sturdy old Clerk-Register his own posthumous re-editor', and establishes across the centuries a kind of personal connexion between some of the most ardent students of Scottish constitutional history—Skene, Laing, Innes (and through Innes, Thomas Thomson), Sir Herbert Maxwell, and last, but not least, the editor himself.

J. D. M.

Mr. R. C. Anderson's edition of *The Assize of Bread Book, 1477-1517* (Southampton Record Society, Southampton: Cox and Sharland, 1923),

usefully supplements such publications of the society as the *Oak Book* and the *Port Books*. It deals not only with the weighing of bread and the punishment of defaulting bakers, but also with the weighing of wool sold by English farmers or merchants to foreigners, the payments that made up the earl of Arundel's annuity from the fee-farm of the town, and the fines collected, partly as penalties, partly as entrance-fees in various trades. The keeping of the assize of bread is illustrated by such entries as that the mayor in 1482 confiscated seven penny loaves on account of the baker's deficiency and sent them to the prisoners (p. 3), probably those in the Bargate (p. 5). The foreign trade of Southampton accounts for the mention of Italian merchants such as Benedict Bonvise, Peter Centuriano, and Louis de Grimaldis, whose names occur in the Patent Rolls for the reign of Henry VII. Notable English merchants are also mentioned, such as Master Tame, doubtless the famous Fairford merchant, and William Midwinter, who is well known from the *Cely Papers*. Another wool-seller is mentioned in an entry (p. 13) showing a curious mixture of languages: 'sol' hostelage [i. e. storage] John Tanner of borfford vendit a [sold to] antony Spinell'. This John Tanner was bailiff of Burford in 1493 and is mentioned several times in Mr. Gretton's *Burford Records*. Another Burford man who sold wool at Southampton was William Bishop, extracts from whose will (1485) are printed by Mr. Gretton (p. 113). The section of the book dealing with fines shows the care taken to preserve order in the town: a Dutchman who called a prominent burgess 'otherwise than by his name' and assaulted him with a great staff, had to pay a box of herrings worth 9s. A heavier penalty, viz. 20s., was inflicted on certain Frenchmen who rashly spoke of the pleasure it would give them to steal the town's guns and carry them off to Normandy. The fine was enough to pay for a chain to secure the guns and leave a good margin of profit to the town. An entry on p. 59, 'the Harry of Hampton sold by Rob't Reynold and Rob't Norton for cclx li to the King's g[r]a[ce]', serves to correct Mr. Oppenheim's suggestion¹ that the *Henry of Hampton* was 'probably the carrack of Hampton', bought in March 1513 for 6,000 ducats from Fernando de la Sala.

C. A. J. S.

The subject of Mr. Aubrey Bell's book, *Gaspar Corrêa*, in the Portuguese series of *Hispanic Notes and Monographs* (London: Milford, 1924), is the earliest and one of the four great historians of the Portuguese eastern empire in the sixteenth century. Though not a cultured man, or even a correct writer, he set down simply and straightforwardly what he saw, and he had the art to make the past live again. He sailed for India in 1512 and was almost immediately appointed one of Albuquerque's secretaries, a post which must have been an education in itself. He accompanied his chief in the expedition to Aden in 1513 and in 1515 to Ormuz. In January of the following year he became inspector of works at Goa and later on secretary of the factory at Cochin; but he was more of a soldier than an administrator; he took part in many important military operations and died assassinated at Malacca about 1563, after fifty years of service in the East. His outspokenness is thought by some to have been the reason

¹ *Administration of the Royal Navy*, p. 49, n. 24.

why his *Lendas da India* remained so long in manuscript, but it seems more likely that the size of the book and the appearance of the histories of Barros and Castanheda prevented its being printed; the only edition, that of the Lisbon Academy of Sciences, consists of four quarto volumes of more than 3,000 pages in all. Frank in condemning abuses, Corrêa had no more scruples, where money was to be made, than most of his contemporaries, but his patriotism, courage, and sincerity attract us, and these qualities won him the regard of successive governors of India. A skilful draughtsman, he depicted these latter with the aid of a native artist, and the portraits are reproduced in the printed text. His history deals with the period from 1497 to 1550 very fully; it is mostly action, little attention being given to the country and people. He began to take notes of important events soon after his arrival, and he made use of printed and manuscript sources, but in the main his book is founded on personal experience. He is usually reliable, and sometimes, when he is not sure of an incident he relates, he will say so. He tells some marvellous stories, but these are not the product of a romantic imagination; he gives them as hearsay. He is rich in detail not found in other writers. Like a true Portuguese, he attached great importance to dress and describes that of Albuquerque and other captains with gusto. He loved rich and beautiful things, jewels, furniture, carvings, and lingers on them; but no one can paint more vividly scenes on a large scale, such as the capture of Goa, the sack of Malacca, and a dozen others. Mr. Bell sums him up happily: 'None of the histories of India have given us slices of life as has Corrêa; from no other work can we obtain so intimate a portrait of the great soldier and administrator Alfonso de Albuquerque; nowhere else are the atmosphere of the East and the deeds of the Portuguese in India reproduced in a narrative so picturesque and dramatic.' This is the first adequate account of Corrêa's life and work in any language; Mr. Bell displays his wonted thoroughness, critical acumen, and descriptive power. He does not attempt to correct his author's occasional mistakes of fact and date by reference to other writers, nor could this be expected in a small monograph. It should have been done in the notes to the Academy edition; but these were never issued, the only defect in an admirable piece of work.

E. P.

In his dissertation for an Amsterdam doctorate, *Sir Thomas More and his Utopia* (Amsterdam: Kruyt, 1923), Dr. Gerard Dudok tries 'to show what More was to his century and to his country'. It is a painstaking piece of work, but Dr. Dudok has had difficulty in obtaining More's original editions, and he seems unacquainted with some recent publications such as M. Delcourt's valuable *Essai sur la Langue de Sir Thomas More*. The first half of the book is occupied in placing the *Utopia* in its setting. The introduction deals with 'Utopian novels' and 'Robinsonades', so called from Defoe's *Robinson Crusoe* and divided by an industrious German, who has made a bibliography of them, into 'Robinsonades proper' and 'Pseudo-Robinsonades'. The influence on More of Plato's Republic, Piers Plowman and the medieval political songs, and Vespucci's *Navigations* is discussed in detail. This conscientious exploration into first

causes has perhaps led Dr. Dudok to treat the *Utopia* itself too seriously, as though it were an elaborate political treatise written with the immediate hope of improving the world, rather than a spontaneous attempt to give shape to ideals; jest and earnest intermingled, as was More's way. Dr. Dudok takes Hythloday's statements as More's considered opinions, and contrasts them with the less generous outlook of the *Apology*, of which also he makes a detailed study. It is hard for any one to whom English is a foreign tongue to deal with More's English, and Dr. Dudok's appendix ii, which gives an abstract of the *Apology*, is unsatisfactory; he misses important points and so fails often to give More's real meaning. Christopher St. German, 'the pacifier', whom More was answering in his *Apology*, was a lawyer, not, as Dr. Dudok says, a priest. H. M. A.

Dr. Kurt Kaser's book on *Das Zeitalter der Reformation und Gegenreformation von 1517-1660* (Stuttgart-Gotha: Perthes, 1922) forms the first half of the sixth volume of the *Welt-Geschichte* edited by Dr. Ludo Moritz Hartmann. Faced by the inevitable choice betwixt mere narrative and discussion, Dr. Kaser has wisely decided in favour of discussion. His themes are well selected, and though he appears to write from a 'liberal' point of view, he has striven to be, and generally succeeded in being, fair all round. The main criticism of his work is that it assumes more knowledge than a beginner would possess, while its conciseness and want of references render it of little use to the expert. To a reader possessed of a fair general knowledge, however, it is of real value. He must, of course, take as they stand the author's selection of facts and his judgement upon them; but as the selection is wise and the judgements are tolerant, he is not likely to be seriously misled. Much prominence is given to German affairs, and traces of the old German attitude are still observable. The German reformation, for example, though its political and social aspects are freely admitted, is found to be fundamentally spiritual; but, while Cromwell's spirituality is not disputed, it is pronounced to have been secondary to his imperialism. Cromwell's England, too, which had in a sense achieved what Germany is only now achieving, is described as a 'young' state. The sections on British history are not always quite accurate, but within the narrow limits of space absolute accuracy was almost impossible; the generalizations are sound and interesting, and the sections are models of compression. It is, however, those which deal with continental politics which are of most interest to English historians. Dr. Kaser's treatment of Germanic and Baltic problems will be found extremely helpful by those engaged in teaching, and indeed his power of apt generalization throughout the book will be a great aid to clear exposition. J. D. M.

In his able book on *The Attitude of Martin Bucer toward the Bigamy of Philip of Hesse* (London: Milford, 1924), Mr. Hastings Eells has given us a thorough piece of work. Its substance is of wider import than its title, for in it we have a careful account of the views of the reformers on the subject of divorce. The author sets forth the ideas of Martin Bucer on divorce long before the infatuation of Philip of Hesse for Margaret

von der Sale, and he has no difficulty in proving that Bucer consistently advocated laxer notions than those officially prevalent. The marriage of Philip of Hesse did not take place till 1540, yet we learn that in 1530 Bucer held that divorce is a remedy to curb the natural inclination of men in the direction of immorality and unfaithfulness. He also held that Christ allowed divorce on the ground of hardness of heart. Mr. Eells well brings out the influence of St. Paul's teaching on the mind of the reformer. It is worth noting that Bucer regarded the 'divorce' of Henry VIII as a wrongful act. May we make an appeal to the author? There is no adequate biography of Bucer in German or indeed in any other tongue. It is obvious that he is the very man to fill the gap on our shelves. Incidentally, Mr. Eells sets forth the views of the reformer on education, on peace, and on Holy Communion. Most of us are aware that Bucer was pre-eminently the diplomatist of the reformation. His friend Margaret Blauer looked on him as 'the dear *politicus* and *fanaticus* of union'. His mediating attitude renders him an attractive character, and we heartily wish that Mr. Eells will undertake to write his life.

R. H. M.

Herr Johannes Kühn explores the relations between *Toleranz und Offenbarung* (Leipzig: Meiner, 1923) in careful and thorough pages. He sets out with the days of Luther and comes down to those of Spener. For the author toleration is not necessarily a good and lack of toleration an evil. His point of view is that the relation between toleration and intolerance resembles that of plaintiff and defendant. What is toleration attacking? What is intolerance defending? To Herr Kühn the motives are all-important, and not the least valuable portion of his able book is the elaborate investigation of the motives of such men as Schwenckfeld and Roger Williams, Joris and Böhme, Castellio and Acontius, and Arminius and Grotius. We have not always been able to agree with him in his analysis of motives. How could we? But it is at least the merit of this book that wherever we disagreed the author forced us to find reasons for our dissent. To him the defence of toleration rests on something deeper than the needs of reason or the needs of the soul to worship God according to the dictates of conscience. He possesses the rooted conviction that behind the assertions of the different types of men whose utterances he sets down there are deeper convictions underlying them all. In the case of Luther, for instance, he brings together a heavy indictment in the shape of the features and the motives animating his lack of toleration. Then he proceeds to show how the movement of Luther was inextricably blended with the wider one of the sixteenth and indeed the seventeenth century. The different directions in which religious life began to develop inevitably stimulated the growth of toleration. Herr Kühn lays considerable stress on the subjectivism and the individualism characterizing those who adopted the faith of the reformation. Naturally this subjectivity and this individualism came into conflict with all organized forms of religion. To the author the triumph of individualism emerges as the leading characteristic of his thoughtful piece of work.

R. H. M.

In the volume entitled *Durham Protestations* (Durham : Surtees Society, 1922), edited by Mr. H. M. Wood, is contained a list of the male inhabitants of the county palatine, Berwick, and Morpeth, of the age of eighteen and upwards, who in 1642 signed or did not sign (either through absence or unwillingness) the protestation to defend the reformed protestant religion as expressed in the doctrine of the church of England. The editor has supplied many valuable notes, mainly genealogical, but might usefully have included references to such works as the *Calendar of State Papers*, *Committee of Compounding*, and the *Acts and Ordinances of the Interregnum*, which would have indicated the politics of some of the more important signatories. As an example, the names, with one exception, of every member of the committee for raising and levying money in Durham appointed by the ordinance of 3 August 1643 appear in this volume. The interest of this book might have been increased in another way, if the editor had enlarged his preface by endeavouring to deduce from the lists the extent of recusancy, the willingness or the reverse of the Anglican clergy and those esquires or gentlemen who fought on the royalist side in the civil war to sign this protestation. An ingenious statistician might even have hazarded a calculation of the population of the districts concerned. G. D.

L'Éducation Politique de Louis XIV (Paris : Hachette, 1923), by G. Lacour-Gayet, is a careful study of the influences which helped to form the character and opinions of Louis XIV. According to popular belief, based mainly upon the prejudiced statements of Saint-Simon, the king's education was much neglected. M. Lacour-Gayet shows that this was far from being the case. Louis was not fond of books, but he received many lessons in practical politics from Mazarin, who, moreover, took great pains to protect his morals and to foster in him a spirit of industry. Louis was much influenced by his mother, Anne of Austria, who was one of the few people who gained his affection. Under her tutelage he formed the habits of piety that he never lost, and her scorn of the Frondeurs and vehement faith in the royal prerogatives considerably strengthened the absolutist tendencies which were fostered by every other circumstance of his youth. In later life he scarcely ever mentioned his father, Louis XIII, who died when he was very young, but he had a great admiration for Henry IV and perhaps tried to model part of his policy (though unfortunately not with much success) upon that of his grandfather. The second part of this book deals with the contemporary theory of the divine right of kings ; the English reader will be especially interested in the short account given of the influence on French thought of the theories of Hobbes, which were favourably received in Paris after the fiasco of the Fronde. The first edition of this work, which has been out of print for some time, appeared in 1898. It contains a bibliography and references to sources which are unfortunately omitted in the present edition. M. Lacour-Gayet deals with his subject in an attractive if somewhat popular style. C. E. M.

The short period in the history of New England between the introduction of a new system of government in 1686 and its overthrow in 1689

receives full and adequate treatment in Dr. Julia Barnes's *The Dominion of New England* (New Haven : Yale University Press, 1923), which has been written under the inspiration and guidance of Professor C. F. Andrews. Dr. Barnes writes throughout in a tone of complete detachment from patriotic or party prejudices, and seems to be of opinion that, if only a popular assembly had been allowed and there had not been attempted a radical alteration in the land system of the colony, the moderates were in sufficient strength to have put down the movement that accomplished the overthrow of Andros's government. Of especial value are the chapters on ' Legislation and Taxation ', ' Administration of Justice ', ' The Land System ', and ' Defense '.
H. E. E.

The bulk of the contents of the eighth volume of the *Manuscripts of the House of Lords, 1708-10* (London : Stationery Office, 1923), concerns what is usually known in Scotland as ' the French descent of 1708 ' or ' the attempt of 1708 '. Two hundred closely printed pages reveal the information the English government obtained about the equipment by Louis XIV of a fleet to restore the Old Pretender, its passage to and from the Scottish coast, the military and naval preparations made in Great Britain to avert this danger, and the measures adopted in Scotland to secure all suspects and thus nip a rebellion in the bud. These documents are so voluminous that a student who possessed this book and Professor C. Sanford Terry's *The Chevalier de St. George*¹ would have most of the materials available for a study of this Jacobite expedition. Other miscellaneous papers relate to the election of Scottish representative peers, the preservation of public records, the naturalization of foreign protestants, and Dr. Sacheverell's impeachment. The value of this work is much enhanced by an excellent introduction, which is very properly confined to illustrating the papers to which it is prefixed.
G. D.

It is satisfactory to find that Mr. Aleyn Lyell Reade is continuing his patient researches into the records of the seventeenth and eighteenth centuries for any details that may throw additional light on the life and environment of his hero Dr. Johnson. His contribution to Johnsonian literature promises to be the most considerable since that of Dr. Birkbeck Hill. In *Johnsonian Gleanings: Part iv—The Doctor's Boyhood—Appendices* (London : Privately printed for the author, 1923) he amplifies and completes the information given in part iii, which dealt with Johnson's early years, from his birth in 1709 to his matriculation at Oxford in 1728. The present volume is not of such general interest as part iii, and is, as Mr. Reade himself admits, ' rather solid fare '. This was probably inevitable as it forms an appendix to the preceding volume, and consists largely of extracts from parish registers and of abstracts of wills and of other official documents, giving us the actual sources from which the narrative in the earlier volume is derived. With the help of this material Mr. Reade constructs pedigrees of several Lichfield families of Johnson's period, and considerably increases our knowledge of his relations on both sides and of the friends of his boyhood. Mr. Reade casts his net wide, and by

¹ 1901. Reprinted in another format in 1915.

his accumulation of data will probably help many who are interested in the genealogies of families in the western midlands. Several well-known names appear in these pages as connected in some way with Lichfield families of the eighteenth century; these include Mrs. Sherwood of 'Fairchild Family' fame, Henry Salt the traveller, Dr. Sacheverell, and Charles Darwin, whose grandmother was the daughter of Charles Howard, one of Johnson's schoolboy friends. The thoroughness of Mr. Reade's researches may be gauged by the fact that he devotes several pages to the family of Johnson's foster-mother, Joan Marklew, and several more to that of Michael Johnson's apprentice, Simon Marten. The volume is by no means devoid of human interest, and Mr. Reade is right in claiming that there are 'bits of flesh among the dry bones'. Perhaps the most interesting document here reproduced is the rather pathetic letter written to Johnson in 1780 by his elderly cousin, Phoebe Ford, who was for many years housekeeper to Edward Gibbon. Mr. Reade suggests that the well-known lack of cordiality between Johnson and Gibbon may have been partly due to some awkwardness occasioned by this fact. Fuller details are given in this volume of the family of Ford to which Johnson's mother belonged, and we learn something of the naval career of his stepson, Captain Jervis Henry Porter. We can again congratulate Mr. Reade on a most useful piece of work. The volume is well produced, and is equipped with an excellent index.

F. P. S.

Mr. John Beresford has admirably edited *The Diary of a Country Parson: The Reverend James Woodforde* (London: Milford, 1924), which contains an abridgement of such parts of a diary written from 1758 to 1803 as cover the years 1758 to 1781. The diarist was a fellow of New College, Oxford, who held curacies in Somerset and a rectory in Norfolk within this period. He seems to have been a placid and unimaginative country parson who loved good food and good drink, enjoyed to the full the typical village life of his age, and apparently never read. Echoes of a wider world are sounded from time to time. 'Very great rejoycings this night on the taking of Quebec' occur while Woodforde is at Oxford. Wilkes's successful action against Lord Halifax warrants the ringing of his church bells 'most part of the day' in 1769. Cornwallis's surrender is mentioned in 1781, but occupies less space and less comment in the day's news than the results of the morning's coursing. The value of this book to the historian lies in its intimate picture of English rural manners and customs. It is interesting to find travelling companies playing *The Beggar's Opera*, *Hamlet*, and *Richard III* at so remote a spot as Castle Cary in 1770. Hannah Snell, who served twenty-one years 'as a common soldier in the Army and not discovered by any as a woman', is met at Weston in 1778. She was then 'about 60 years of age and travels the country with a basket at her back selling buttons, gaiters, laces, &c.' Mr. Beresford thinks that the diary should induce us to revise Macaulay's depressing view of the country clergy of the eighteenth century, and so far as Macaulay reflected on their social standing, it is evidence in favour of a modified judgement. Woodforde was certainly kindly, intelligent, convivial, and fond of sport. Though he drank hard, he was no sot, and

could say after a night at Oxford when port, Madeira, ' arrac punch ', beer, and cider had all been drunk, that ' I carried of my drinking exceedingly well indeed '. His entry for Christmas Day 1781 includes the human record, ' We had a good piece of roast beef for dinner and plenty of plumb puddings '. Nothing in the diary, however, points to his ever having been interested in things of the spirit.

G. B. H.

In an interesting monograph, *The American Revolution, A Constitutional Interpretation* (New York: Macmillan, 1923), Professor C. H. McIlwain maintains with much learning and ingenuity the proposition that in the constitutional issue between England and the American colonies it was the latter who were in the right. According to him, the direct and constitutional causes of the Revolution began in 1649, when parliament first spoke of ' the people of England and all the dominions and territories *thereunto belonging* '. Hitherto allegiance had been recognized as due to the Crown; but the assumption of authority by parliament introduced a new factor. Mr. McIlwain makes effective use of the Irish analogy, and the references to the statements of Darcy, Bolton, Molyneux, and Swift are extremely suggestive and to the point. Less convincing are the arguments drawn from the case of Scotland and the Channel Islands. The coexistence of two separate kingdoms under a common king and the fact that the duke of Normandy, to whom the Channel Islands belonged, became king of England, makes their position wholly different from that of the colonies. Again, it seems somewhat fanciful to contend, as was contended by Samuel and John Adams, and somewhat hesitatingly by Professor McIlwraith, that the dominions had not been consenting parties to the English Revolution of 1688; whilst they acclaimed the new sovereigns sworn under the new coronation oath to govern ' according to the Statutes in Parliament agreed on '. It is no doubt true that on the eve of the Revolution men like S. and J. Adams and J. Wilson can be called in aid of Mr. McIlwain's contention, and that the Massachusetts legislature had in the seventeenth century maintained this view; but if the colonists really were convinced of their independence of parliament, it is strange that the Navigation Acts should have been acquiesced in so long and so generally. Even with regard to taxation it is difficult to get over the provision in the charter of Pennsylvania that nothing of that nature should be done ' unless the same be with the consent of the Proprietary or chief governor and Assembly, or by act of Parliament in England '.

H. E. E.

There were three battalions which bore the title of *The Queen's Rangers*, a pamphlet upon which (*s. l.*, *s. a.*) has been written by Mr. H. Walker. The first was a loyalist light corps, raised in 1776 and reorganized by Colonel Simcoe in the next year. Under his command it won distinction at Brandywine, during the retreat from Philadelphia, and in the Virginia campaign. It was included in the capitulation of Yorktown and disbanded in 1783. Eight years later the second battalion was raised in England at the suggestion of Simcoe, first lieutenant-governor of Upper Canada. It was designed to facilitate colonization in that province by clearing

forests and constructing roads. It saw no war service and was disbanded in 1802. The third was raised in Upper Canada on the occasion of the rebellion of 1837. Details of its movements are lacking and it was soon disbanded. The colours of the first battalion were recently transferred from Simcoe's home in Devonshire to Toronto. Short biographies of the principal officers and the muster-roll of this battalion are included in the pamphlet.

W. B. W.

M. J.-B. Manger, jun., disarms criticism of his *Recherches sur les Relations Économiques entre la France et la Hollande pendant la Révolution Française (1785-1795)* (Paris: Champion, 1923) by admitting that his study lacks cohesion and that, in some respects, it is fragmentary. He has only attempted to give the results of his own researches in the archives both at Paris and at Amsterdam and The Hague. The most repaying were the French consular archives, although, by what seems an excess of caution on the part of the authorities, all after the year 1793 are closed to the historian. It was perhaps unwise of M. Manger to state that the limits of his studies were 1785, the treaty between France and Holland, and 1795, the conclusion of the war between the two republics; for he has found himself under the necessity of devoting an introductory chapter to the events leading up to the treaty of 1785, and has given up the last third of his book to an interesting study of the means by which Holland raised the indemnity imposed on her in 1795 and the effects of its payment on French finances. For the rest he shows that the policy of France towards Holland during both peace and war aimed primarily, though without effect, at undermining the commercial prosperity of England. The study concludes with four interesting statistical tables.

M. A. P.

Dr. A. L. Geyer's book, *Das Wirthschaftliche System der Niederländischen Ostindischen Kompanie am Kap der Guten Hoffnung, 1785-1795* (Munich: Oldenbourg, 1923), is a detailed inquiry into the economic side of the company's administration at the Cape during the ten years referred to, containing a full account of the disastrous deficits and of the efforts made by the company (under pressure from Holland) to cut expenditure down. Dr. Geyer describes the administrative arrangements and the state of trade. It is indeed a gloomy picture. The company, which still regarded the Cape merely as a port of call on the way to the East Indies, paid little attention to the colonists except as a source of profit or loss, yet conducted even the business side of its enterprise so badly that it was always losing money. The books were kept disgracefully, and though copies of some of them were sent home to Holland, the board never apparently took the trouble to examine them, preferring to rely on the reports of their local officials, who habitually hoodwinked them. The administration at the Cape was honeycombed with corruption and, especially when the interests of officials were concerned, often made no attempt to carry out unpopular orders from home. The community at Cape Town lived on forbidden trade, and outside evaded taxes and falsified such returns as it had to make. All this was in great part due to the company's clinging to its monopoly in trade, which it did not (and latterly could not) enforce

effectively, but was unwilling to abandon. The General Commissioners Nederburgh and Frykenius, who were specially sent out in 1792, were not incompetent; on the contrary, from their own point of view they were effective in reducing expenditure and increasing income. But, as Dr. Geyer points out, although they spoke the colonists fair, there is good reason to suppose that all they really were aiming at was to gain time for the company, which was threatened with bankruptcy. The colonists indeed had been living on the company's extravagance and slackness, and the economies introduced half ruined them, while the offers of a right to the whale fishery and trade with Batavia were little better than a mockery, though the colonists do not seem to have seen this. Dr. Geyer has evidently examined his authorities very thoroughly, and his detailed examination of the case throws a great deal of light on the lamentable failure of the company.

H. L.

M. Albert Duchêne's *Gabriel Malès et la Reconstitution Financière de la France après 1789* (Paris: Plon, 1923) is a biography of local piety. M. Louis Madelin, who contributes a preface, confesses what foreign historians need not be ashamed to confess with him, that he knew little about Malès de la Corrèze except a scene of fisticuffs in which Malès took part in the five hundred, 1 messidor an V. 'Je m'étais fait l'idée d'un Malès violent et tapageur. Et voici que M. Albert Duchêne est venu me peindre . . . un Malès grave, un peu pesant, de bonne tenue bourgeoise et d'idées rassises.' A lawyer of the old order; a discreet 'business' member of successive assemblies—not, however, of the legislative or the convention—Malès went from the tribunal to Napoleon's *cour des comptes*, and sat there under the Bourbons and Louis-Philippe, retiring only in 1836 at the age of eighty. He died next year. It cannot fairly be said that the book adds greatly to our knowledge of the financial history of the period. But a charming picture of family and local affairs in the Bas-Limousin serves as a background to the parliamentary and financial narrative. To one who, like the present reviewer, knows Malès's country and Brive 'la Gaillarde', of which he was mayor in 1793, the piety to which the book owes its origin will never seem misplaced. J. H. C.

M. Camille Bloch has edited for the 'Collection de Documents . . . sur l'Histoire Économique de la Révolution Française' the *Procès-Verbaux du Comité des Finances de l'Assemblée Constituante* (Rennes: Oberthur, 1922). The committee was not officially an executive body, though it took upon itself, very properly, to decide many small questions and some fairly large ones. It gave rulings on disputed points of financial procedure arising from the transition from old to new conditions. Sometimes it interpreted a law. It received a great many appeals from individuals, generally from those who had claims against the state under the old order and were afraid that they might not be honoured under the new. Contractors for a canal who cannot get back their advances for the works; provincial governors and others who had claims on the provinces which they fear the departments may not honour; persons who had enjoyed monopolies and privileges which are being infringed, are samples from

a long list. It is interesting to meet M. de Villemotte, the lessee of the Salle du Manège, evicted to make room for the assembly (p. 73). Carlyle would have been fascinated to know that he had paid the Crown nothing, but had paid his predecessor 80,000 livres. Yet he had drawn from the treasury 18,000 livres a year and from the 'grande écurie' 8,000, 'et enfin tous les frais de son établissement étaient payés par les jeunes gens qui venaient y prendre des leçons'. Many of these cases were passed on to other committees. On matters fully within its competence the committee drafted decrees, and sometimes letters, for the assembly, which might or might not be accepted. In order to estimate the true importance of its work all these pieces of business would have to be followed through *seriatim*. It spent a good deal of time in attempting to ascertain the dimensions of the national debt. Having considered one very gloomy and one more encouraging estimate, it decided (24 July 1790, p. 313)

que les ressources de l'État sont bien supérieures à ses charges, que l'énormité de la dette . . . est chimérique, qu'aucun État de l'Europe ne mérite autant de confiance ni de crédit que la France, et que la banqueroute ne peut être possible que dans la tête de ceux qui la désirent.

One recalls involuntarily passages in the history of the recent 'battle of the franc'. There is no need to say that M. Bloch's editing is admirable. A splendid index makes the material perfectly accessible to local historians, for whom it should be of special interest. J. H. C.

Miss Elizabeth Merritt's study of *James Henry Hammond, 1807-1864* (John Hopkins University Studies. Baltimore: John Hopkins Press, 1923), has both considerable interest and a literary merit unusual in this kind of work. Hammond was a man of position and force of character, a typical southern leader of the generation before the war. He understood and loved the south, and he could speak for it in a way that found an echo in millions of hearts. But, like other southerners, he did not understand the north, nor share at all its idea of the union. To him union was 'a policy not a principle', and he seems from an early period of his life to have believed a breach between north and south inevitable and desirable. In this the author thinks he represented a considerable section, and that 'there was in South Carolina a distinct body of public opinion, respectable in numbers and eminence, which from nullification in 1832 to secession in 1860 was working for a united South, for a Southern Nation'. Of such a section Hammond was a natural leader. 'He was the baron of his district and one of the great barons of the state', South Carolina, intent on planting, 'the only independent and really honourable occupation', an unfaltering defender of slavery as a social and economic system and as the proper destiny of the African negro: 'I would not cage an eagle or even a hawk. Shall we therefore rear no poultry?' He played no part in secession, which he thought untimely, or in the war, for his health was failing, and before it closed he died in the faith in which he had lived: 'if we are subjugated, run a plow over my grave'. E. A. B.

The sixth volume of Sir Charles Oman's *History of the Peninsular War* (Oxford: Clarendon Press, 1922) covers ground of exceptional interest.

It starts with Wellington's ineffective pursuit of Clausel and his failure to reduce Burgos, followed by his retreat to the Tormes and thence to Portugal. Professor Oman shows that the causes of failure were an unsound plan of campaign, due to over-confidence and the lack of a clear objective, and the absence of an adequate siege-train. He duly appreciates Wellington's skill in extricating himself from his perilous position, suggests that it was French morale, which was more severely shaken owing to their failure to force a decisive battle, although a third stronger in numbers, and criticizes Wellington's censure of the misconduct of his troops during the retreat from the Tormes as excessive and too sweeping. The Vittoria campaign was Wellington's strategical masterpiece, to which the author does full justice. He lays great stress on the two surprises which Wellington planned for the French: the passage of the Esla by his left wing, and the transfer of his base from Lisbon to the Bay of Biscay, and in a striking paragraph shows that the latter could not have been anticipated by 'officers reared in continental campaigns and unused to contemplating the correlation of land operations and naval strategy'. In his account of Vittoria Sir Charles dissents from Napier's view that Margarita was the village stormed by Vandeleur's brigade, and argues convincingly in favour of La Hermandad. The French attempts to hunt down the partisan leaders in northern Spain are described in some detail, and he shows that their failure was an important factor in the final defeat of Joseph's army. The volume closes with Soult's offensive in the Pyrenees and retreat into France. An account of Murray's futile operations on the east coast serves to mark the contrast with the brilliant success in the main theatre of war. The author's treatment of those problems which lie on the border-line between strategy and policy could not be bettered. From the 'morning states' of Wellington's army in 1813, long lost but recently discovered, he gives 'accurately the strength of every British and Portuguese brigade at Vittoria and in the Pyrenees'. But Wellington's battle-order for Vittoria is not included in the appendices, which would have made it easier to follow the criticism of Wellington's tactics. Sir Charles Oman's weak point is his neglect of the administrative side of Wellington's army. His tendency is to ignore questions of transport and supply. Otherwise he would not have found the detachment of Pakenham's division on the eve of Vittoria 'inexplicable'. Throughout he has observed a self-denying ordinance in regard to drawing comparisons with the operations of the great war. In note 2 on page 388 Giron should be Giron. W. B. W.

The distinctive feature of Mr. E. Welbourne's book on *The Miners' Unions of Northumberland and Durham* is the use which the author has made of the records of the Durham Miners' Association and local newspapers such as the *Durham Chronicle*, the *Newcastle (Weekly) Chronicle*, and the *Durham City and County News*. These have enabled him to supplement the history of the Northumberland and Durham miners as portrayed by R. Fynes in his book published half a century ago. The narrative, while showing some defects in construction, is on the whole competently handled, and serves to indicate that economic history, too, can justly claim its heroes—and its martyrs—its dramatic phases and its

living interest. Mr. Welbourn's style is not always free from obscurities, and his method of exposition sometimes leaves the reader uncertain whether the changes which he describes were general in their application or local. This obscurity is particularly noticeable in connexion with his account of the yearly Bond which plays so large a part in the history of the miners. In one place we are told that the yearly Bond lapsed, killed by a successful strike; but it makes frequent reappearances in Mr. Welbourn's pages before it is finally disposed of. The author would have added greatly to the value of his work if he had devoted a special chapter to an analytical study of the Bond, tracing its gradual abandonment in different localities. Mr. Welbourn's criticisms do not always appear warranted by the facts which he himself relates. For example, we are told that a strike at Wingate over the introduction of a wire rope 'was but another instance of the foolish opposition of workmen to all invention' (p. 65), yet he admits at the same time that 'in truth the condition of the wire rope would have shocked a modern inspector'. The author takes an unfavourable view of Mr. Roberts, the famous 'Pitman's attorney-general', and he seems to hold that Roberts's advocacy did the men no particular good (cf. p. 145), a view which may be correct, but which is hardly substantiated here. Errors in detail seem singularly rare, though the Rev. M. Nesfield, who intervened in the celebrated strike of 1810, is transformed into the Rev. M. Newfield. Taken as a whole, Mr. Welbourn's book will be a very useful addition to the literature of trade unionism.

E. L.

Dr. Mathieson's short book, or rather long essay, on *English Church Reform, 1815-40* (London: Longmans, 1923), is a little disappointing. It is true, as Dr. Mathieson points out, that the ecclesiastical legislation of 1836-40 has not been described with the 'fullness and particularity which it deserves'. But Dr. Mathieson himself gives barely fifty pages to these years; his first hundred and twenty pages deal somewhat discursively with the years 1815-36. The book begins with an account of the 'pre-reform' church, and includes twenty pages on the origins of the Oxford movement. Thus if it be compared with Professor Halévy's *Histoire du Peuple Anglais au dix-neuvième Siècle*, Dr. Mathieson's book is itself only an outline. Nor does it compare in perspicacity and appositeness with M. Halévy's work. The author feels little sympathy with the clergy of the early nineteenth century. It is hard indeed to sympathize with most of them, and the leaders of the Oxford movement scarcely escape. To Newman may be forgiven the self-absorption of the great artist. But Pusey knew German science only to run away from it, and seems entirely to have ignored the French catholic revival. Nor did those who had less pretensions to historical or theological knowledge or artistic power show much care for the social welfare of their fellow-countrymen. It is hard to forgive Keble's remark in his assize sermon that disrespect for the clergy implies 'enmity to Him who gave them their commission', or his innuendo that toleration might be a pretext for wrongdoing on a level with the 'impious liberality of Saul in sparing the Amalekites'. But although the leaders of the Oxford movement were illiberal, unin-

structed (save in a narrow sphere), and in many ways selfish, their aim was new in England, and of great nobility. Their revival of personal religion and of the idea of a religious society had within itself possibilities of reform far beyond the immediate measures which they opposed. It is a little curious to find that Dr. Mathieson is also mildly sarcastic on the subject of Arnold. Arnold, like all the men of his age, is still only old-fashioned, not even antique; his oddities are good sport for essay-writers. But surely, when the fashions of the time are stripped away, he is an Englishman of Englishmen, and his own countrymen generally give more complimentary names to the methods which Dr. Mathieson calls 'rash and summary'. Again, on p. 106, there is a strange half-apprehension of the relations between the colleges and the university of Oxford. If he wishes to attack the collegiate system, Dr. Mathieson should get his facts right (e.g. 'The University of Oxford had existed for at least a century and a half before the oldest of its colleges were founded . . .'). The sketchiness of treatment and the lack of sympathy with the subject as a whole rather spoil the book. But although it is hardly what its author claims for it, it contains a good many deductions which have not been made before, corrects a number of errors, and puts together much that has hitherto been scattered in uninviting works of controversy or hagiography.

E. L. W.

The Eastern Washington State Historical Society has done well in bringing to the light, though somewhat late in the day, that portion of *Ranald MacDonald* (Spokane, Washington: The Inland American Printing Company, 1923) which contains the narrative of his great adventure to Japan in 1848, and in entrusting its editing to the competent hands of Messrs. W. L. Lewis and Naajiri Murakami. Ranald MacDonald was the son of a Hudson Bay factor and of his Indian wife, who, at the age of twenty-four, deliberately became a castaway from an American sailing vessel, so as to learn something of the then *terra incognita* of Japan. He spent seven months in the country and his experiences are of no little interest. What strikes one most is the extreme kindness with which he was treated by every individual Japanese with whom he came in contact; whilst he remained a closely watched prisoner, lest in some way he should contaminate the life around him.

H. E. E.

The doctoral dissertation of some 230 pages, *Den Danske Sprogordning og det Danske Sprogstyre i Slesvig mellem Krigerne (1850-1864)* (København: Aschehoug, 1923) by Holger Hjelholt, is written so dispassionately and with such strict regard to sources as to render difficult, it may be supposed, the task of its *ex officio* opponents. The author has turned first and foremost to the archives of the Slesvig ministry, but also to the collections of Th. A. I. Regensburg and others, for fresh light on the long struggle, whose geographical centre was Flensburg, for the linguistic and political allegiance of the northern duchy. Not a few of its inhabitants, it would appear (p. 218), had been reduced to a condition in which they understood little of either their mother tongue or that which they heard in church and school. It was made clear in 1848-50, however, that those who spoke German were the

more likely to fight against the Danes, and, once masters of the situation, the Danes set eagerly to work to favour their own language in churches, schools, and tribunals. Their ordinance and its application, which deeply affronted the nationalists of Holstein and Germany, were far from welcome to many of the Danish-speaking Slesvigians, a state of things which some ascribed to their short-sightedness, others to their love for the German hymns and Bible, and others to fear of the large farmers, who spoke German. The measures taken, their administrators and their effects are set out with a wealth of authoritative detail which must give the treatise considerable permanent value. W. F. R.

What Miss Myra Willard calls a *History of the White Australia Policy* (Melbourne: University Press, 1923) is not quite that, but rather an account of the rise and fall of immigration to Australia from Asia and the Pacific Islands. As she says, 'the development of the White Australia policy in its positive form may be said to be a movement scarcely yet begun'. She has written a careful and impartial account of coloured immigration; it is not, and hardly could be, exciting; it does not contain any unexpected facts, nor does it trace some hitherto obscure cause and effect; but it is a useful monograph, though it would be improved by an index. The best things in it are the explanation of the anti-Chinese storm of 1888, and the account of Kanaka indentured labour in Queensland. Miss Willard sympathizes with the colonial office; and, unlike some Australian historians, is not grievance-hunting. She is weakest on the question of Indian indentured labour, but that, save as an idea, hardly comes within her scope. It is perhaps worth pointing out that the 'white Australia policy' is older than she mentions, and is stated, though briefly, in the dispatches of Phillip, the first governor of New South Wales.

E. M. W.

In *Old Devonshire House by Bishopsgate* (London: Swarthmore Press, 1923) Mrs. Margaret Sefton-Jones has given an interesting account of an old London building from the time when Jasper Fisher built it as 'Fisher's Folly', which is the more valuable since much of the material comes from the manuscript records of the Society of Friends, who have had one of their chief London homes there for over two centuries. In the opening chapters, which deal with the early history of the site, the zeal of the authoress has unhappily led her into much dubious etymology and topography. It is unlikely that 'Folly' has anything to do with 'Folcland'. Still less has 'Foland', which was obstructed by the Friars Preachers about 1270 (not by the Friars Minors as stated in the book); this at once suggests that there is an error and that Shoe Lane is meant, and in a parallel passage we have 'Sholand' given in place of 'Foland'. There is nothing mysterious about St. Benet and the *Camera Diane*; the position of the *Camera* is quite well known; it stood next Doctors' Commons in Paul's Wharf Hill in the parish of St. Benet, at which church the widow of Sir John Clay was buried in 1477. Nicholas Woodroffe did not live in Pembridge Inn, but in the much larger mansion 'The Green Gate', and Pembridge Inn, which had a comparatively small site, could never have been a splendid house.

C. L. K.

Nearly half of the Rev. Herbert Barnett's *Glympton, The History of an Oxfordshire Manor* (London : Milford, 1923), is occupied with the text of the Parish Registers from 1567 to 1812, which are printed almost *in extenso*. These contain some information about the glebe and other matters, but it would have been well if more space could have been devoted to the Court Rolls, the fourteenth-century estate accounts, and other manorial documents of which only brief specimens are given. The descent of the manor is clearly traced, with full references, and there is a list of rectors, besides a good deal of miscellaneous information on such matters as billeting in the civil war, field-names, and the other usual aspects of local history. The volume makes a useful addition to the history of Oxfordshire, but it should be added that it has too many faults and uncertainties of transcription. F.

Recent agrarian history has suffered from two defects. It has tended to be written too much in terms of the 'typical' (and therefore non-existent) village. It has been unduly concerned with sensational *dénouements*, in particular enclosure, has not laid sufficient emphasis on the fact that enclosure was frequently a process taking place gradually over a long period, and has too often forgotten that the effect of enclosure can be estimated only in the light of the conditions of rural organization obtaining immediately before enclosure took place. The only corrective of these tendencies is a detailed study of the agrarian arrangements of particular villages, and Mr. G. N. Clark's *Open Fields and Inclosure at Marston, near Oxford* (Oxford : Blackwell, 1924), is an admirable example of the manner in which such individual studies can be made to throw light on larger problems. His principal materials are the description of the township given in the Hundred Rolls, deeds relating to property owned in it by Brasenose, Oriel, Magdalen, and Corpus Christi Colleges, a survey of 1605 made for the last-named college, the Court Rolls, and the Tithe Commutation Award of 1843. Mention must also be made of the Churchwardens' Accounts which Mr. Clark is editing for the Oxfordshire Record Society. The most noteworthy features in the picture of economic development drawn by Mr. Clark are : (i) the addition (apparently towards the end of the fifteenth century) of a fourth to the three original fields. The cause of this change is not explained. In some places about the same time there were complaints that the land under cultivation would not support a growing population. Is it possible that similar forces were at work at Marston ? (ii) The complete disappearance of the demesne by the time that the survey of 1605 was made. (iii) The multitude of small holdings which existed after enclosure (carried out apparently in the middle of the seventeenth century). Enclosure does not seem at Marston to have led, as it certainly did in some places, to consolidation. (iv) The great amount of absentee ownership in the eighteenth century. This was probably common. But not enough emphasis has been laid on it as a force disintegrating customary methods of cultivation. The better understanding of English economic history depends on careful studies, not merely of the general forces at work in different periods, but of the distinctive features of particular communities. Those who take up work of the kind will be well advised to imitate the model given them by Mr. Clark. R. H. T.

In his *Handbook of County Kerry Family History, Biography, &c.* (compiled for the Archaeological Group of the County Kerry Society, 1923), the Rev. H. L. L. Denny has compressed a great deal of honest work into a small compass. The *Handbook* appears, as he says, at a time when 'the old order changeth, giving place to the new', a fact which should stimulate in those of the old order the pious endeavour to collect and preserve the records of their forefathers. The purpose of the *Handbook* is 'to facilitate such endeavours, as well as the work of the historian, by providing a catalogue of some of the materials which are available'. Having in the first place enumerated the principal guides to research and repertories of genealogical information both in general and as regards Irish and, in particular, Kerry families—the original sources for Ireland being sadly depleted by the recent destruction of the Irish Public Record Office—Mr. Denny gives alphabetical lists (1) of Kerry families, (2) of certain cognate subjects, some of historical interest, connected with Kerry, indicating in each case the books, articles, and manuscripts containing information regarding the same. In a pioneer work of the kind some omissions there must inevitably be, but we have examined several titles with which we have some familiarity and have in general found the references given to be both accurate and helpful. G. H. O.

Mr. G. N. Nuttall-Smith, in *The Chronicles of a Puritan Family in Ireland* (London: Milford), has traced with some care and success the descendants of his ancestor in the seventh degree, namely, Joshua Smith, apparently a Cromwellian soldier, who obtained lands in the barony of Clonlisk in King's county, Ireland. The family, though never coming into the limelight of national history, has produced such distinguished members as Dr. Aquila Smith of Dublin, a learned numismatist, and his son Vincent Arthur Smith, C.I.E., whose contributions to the history of India and Ceylon are fresh in memory. To the ordinary reader, however, the most interesting part of the volume is an appendix concerning the papers of Maria Smith, née Steele, who in 1801 married a Joshua Smith and lived in Dublin. She was a friend of Lady Morgan, Thomas Moore, Charles R. Maturin, and Felicia Hemans, and the appendix contains extracts from unpublished letters and verses of these celebrities. G. H. O.

M. l'Abbé Brochard has written in the *Histoire de la Paroisse et de l'Église Saint-Laurent* (Paris: Champion, 1923) a complete account of one of the oldest and most interesting churches of Paris. His book is a model of careful scholarship, the fruit of an intelligent devotion to the scene of his daily work. It has a number of excellent illustrations, and an appendix of documents. The main interest of the book must be local, but it takes an English reader into a number of curious by-ways. The chapters on the parish during the Revolution (pp. 256–316) form one of those useful supplements to general history which show the confusing effect of high political theory when translated into the affairs of ordinary men. (Incidentally, it would be interesting to trace the antecedents of the M. Devonshire who was one of the *administrateurs du culte* of the church in 1800.) Many of the documents—for example, the extraordinarily minute and detailed rules which benefactors laid down for

services endowed by them—might be called peculiarly French. But there is something universal in the mixed motives of a parishioner who had ‘detained’ during the Revolution a number of the liturgical books belonging to the church. She returned them after the Terror in this wise: ‘Jeudi 7 avril. Une paroissienne détenait les livres de chant. Elle les cède moyennant 2400 livres comptant. Elle y ajoute bientôt gratis deux petits livres à l’usage du chœur en échange de quoi le curé chantera une messe annoncée au prône pour son mari défunt.’ E. L. W.

Dr. Josef Calbrecht’s *De Oorsprong der Sinte Peetersmannen* (Louvain : Uystpruyst-Dieudonné, 1922), the second number of the new series of studies in History and Philology issued in Louvain University, deals with the history of the patriciate of the town of Louvain from the earliest times to the beginning of the sixteenth century. They bore the name of ‘Saint Peter’s Men’, and their privileges were not based on tenure, but were personal, heritable both in the male and female line, and descended to all the children. Dr. Calbrecht has been forced to rely to a large extent on printed material, as some of the manuscripts formerly accessible are now lost; and the evidence, especially of the early history of the Saint Peter’s Men, is somewhat scanty. But it seems clear that they were, for the most part, free men, commended to St. Peter of Louvain, to whom they paid chevage, and also demesne-men or *familiars* of the count of Louvain as founder and patron of St. Peter’s. In all matters affecting their lives or goods they were subject only to the judgement of their peers, Saint Peter’s Men like themselves, although those residing outside Louvain were amenable to the local courts in cases relating to land. It would be hard to find an English analogy, at all events after the Conquest, but the Saint Peter’s Men have some points of resemblance with the king’s serjeants and with tenants in ancient demesne. Here, as in other cases, we seem to find survivals in Belgium of social conditions which disappeared early in England. C. J.

In his pamphlet *Di uno Speciale Rinnovamento Edilizio a Crocevia in Palermo nell’ anno 1508 e di quelli più Estesì nei Tempi Posteriori* (Palermo : Boccone del Povero, 1921), Signor Giuseppe La Mautia throws considerable light on the improving and town-planning of old Palermo. In 1508 a street with a cross-street was cut through the most crowded quarter, and this improvement was increased later, so that the great streets of the Cassaro, the Toledo, and the Maqueda (the two last called after the Spanish viceroys who constructed them) divided the town. In 1713, when the first Savoy sovereign of Sicily, Vittorio Amadeo II, visited Palermo to be crowned, the streets were described as ‘the two streets which at the crossways divide the city exactly in four equal parts and unite in an octagon’. A. F. S.

Sir George Fordham’s authority as a student of maps and itineraries, especially from the bibliographical side, is so well established that his excellent catalogue of *The Road-Books and Itineraries of Great Britain, 1570–1850* (Cambridge : University Press, 1924), will be sure of a favourable reception. As is explained in the introduction, the definition of what

is to be included is somewhat wider than in the author's less complete catalogue (in the *Transactions of the Bibliographical Society* for 1916) which this work supersedes; but we are puzzled to account for the absence of so well known a book as Wadsworth's *European Mercury*, not to mention the original from which it was translated. G.

Dr. Malcolm Storer, the curator of its coins and medals, has compiled for the Massachusetts Historical Society, under the title *Numismatics of Massachusetts* (Collections, vol. 76, Boston, 1923), a list of the medals of Massachusetts. Primarily it is a catalogue of the pieces in the society's private collection, but also includes descriptions of other pieces taken from many sources. The editor is of opinion 'that everything should be included as . . . things that now seem of little importance may in the future have their interest'. H. E. E.

The article that will attract most attention in volume xxv of the *Yorkshire Archaeological Journal* (Leeds, 1923-4) is Dr. Hamilton Thompson's paper on the monastic settlement at Hackness. The connexion of Hackness with Whitby dates back to the seventh century, for both were St. Hilda's foundations. Hackness ranked as a cell of Whitby in the twelfth century, and its ties with the mother house were close in the early days of the Norman settlement. The conflicting narratives of the origin of Whitby Abbey have here been reinvestigated by Dr. Thompson. He establishes a new fact, namely that, just as Abbot Stephen found a temporary home for his monks at Lastingham on his migration from Whitby to St. Mary's, York, so his successor at Whitby, Prior Serlo de Percy, temporarily abandoned Whitby and removed his followers for a few years to Hackness. Among the other articles in the volume are one by Mr. I'Anson on some Yorkshire effigies of the early fourteenth century; a continuation, by the Rev. H. Laurance and the Rev. C. V. Collier, of their survey of heraldry in Yorkshire churches; a history of the Eland family by Mr. C. T. Clay; and a translation of the twelve medieval ghost-stories written down by a monk of Byland and edited by Dr. M. R. James in a former number of this Review.¹ H. H. E. C.

In the *Analecta Bollandiana* for October 1923 (vol. xli) the paper of most far-reaching interest is the ingenious criticism, read by M. Robert Fawtier at the International Congress in Brussels, of the *translatio et miracula* of St. Catherine of Alexandria, written in the later half of the eleventh century at Rouen and edited by Poncelet in the twenty-second volume of the *Analecta*. The author, who was a monk of La Trinité-au-Mont, where relics of St. Catherine were preserved from the early years of the monastery (founded 1024, dedicated 1033), used a text of a *passio*, but added an account of the relics. They were brought, he says, by St. Symeon, a monk of Sinai, afterwards a well-known recluse at Trier, in the days of Duke Richard II of Normandy. M. Fawtier has no difficulty in proving that the details of the story are in many respects inconsistent with ascertainable facts, and suggests that it was fabricated to explain the existence of the relics at Rouen. He establishes the chronology of the early history

¹ *Ante.* xxxvii. 43.

of La Trinité, and points out that the earliest reference hitherto found in the West to the discovery of the body of St. Catherine at Sinai is to be seen, indirectly, in the presence of relics at Rouen. Ralph Glaber states that monks came each year from Sinai to the court of Duke Richard II to receive his alms. We hope that M. Fawtier will be able to continue his examination of the introduction into the West of the cult of St. Catherine. This number of the *Analecta* also contains, among other matter, a study of the 'Acts of St. Marcellus the Centurion', by Father Delahaye, and the late Father Poncelet's catalogue of the Latin hagiographical manuscripts in the library of the chapter at Ivrea (*Eporedia*) in Piedmont. F. M. P.

Despite financial difficulties and the rivalry of the new *Byzantinisch-Neugriechische Jahrbuecher*, the *Byzantinische Zeitschrift*, the first Byzantine periodical, founded by Krumbacher, still continues to appear. The present number (vol. xxiv, 1-2) begins with a critical text of the Christmas Hymn of Romanos, a sample of the complete edition of Romanos prepared by Paul Maas, which was to be published by subscription, and a sad reminder that the requisite five hundred subscribers have not come forward: the greatest of Greek hymnographers has therefore still to wait for an adequate edition. Other articles of special interest are the 'Ακριτικά Μελέται of Bogiatzidis on the text of the Digenes epic, and the discussion of the manuscripts containing Greek translations of the works of Thomas Aquinas by M. Rackl. In the second Abteilung a review by the late Professor Thumb of Hesselung and Pernot's edition of the 'Ερωτοπαίγνια reminds us how much all students of the modern language have lost by his death. In the third Abteilung, *Bibliographische Notizen und Kleinere Mitteilungen*, which fills more than half the volume, we find the usual classified bibliography dealing with all sides of Byzantine and modern Greek studies. Lastly, Dr. Heisenberg announces that a committee has been formed in Athens to collect subscriptions for publishing the work left by the late Professor Spyridon Lampros, amongst other things an edition of the Chronicle of Theodoros Skoutariotes of Kyzikos and a Collection of Portraits of Byzantine Emperors. R. M. D.

The American Civil War takes a prominent place in the *Proceedings of the Massachusetts Historical Society, October 1922-June 1923*, vol. lvi (Boston, 1923). An able article by Captain Frothingham brings out the importance, strategical and political, of McClellan's victory at Antietam. The opinions expressed in some of the 'Woodman letters' show the fallibility of contemporary judgements; and the letters exchanged between various members of the Dalton family between 1861 and 1865 give a vivid picture of life at the front during the war. Some letters of Thomas Coram, who established the Foundling Hospital, contain bitter comments on the manner in which Oglethorpe was administering the affairs of Georgia.¹ Coram endeavoured to start a rival settlement in the south of Nova Scotia under a free civil government, being of opinion that Nova Scotia under its military régime must remain a costly failure. Other items of interest are Franklin's accounts as agent of the house of representatives

¹ For the opinion of his co-trustees with regard to the reason why Coram criticized the administration of the colony see *Hist. MSS. Comm., Diary of Lord Egmont*, ii. 199.

of Massachusetts; letters of Barbeau-Dubourg to Franklin; and three letters of Charles Paxton, written while a member of the American board of commissioners of the customs in 1768 and 1769. Mr. Murdoch vindicates the behaviour of the British troops at Concord, April 1775; and Mr. Lodge commemorates the centenary of Parkman's birth by an eloquent tribute.

H. E. E.

ADDENDUM TO THE NUMBER FOR JANUARY 1923

IN my note on the *Auditors of the Foreign Accounts of the Exchequer, 1310-27*,¹ I wrote:

Between Easter 1317 and the spring of 1323, the number functioning at any given time fell to two and sometimes one. The reason for this is not quite clear, but a probable explanation is that while accounting of every kind fell into great confusion and arrears owing to the political and military disturbances of the period, many accounts which should have been rendered to the exchequer were rendered to the chamber.

Subsequent discoveries enable me to give the true explanation. In the Memoranda Rolls, Michaelmas term, 10 Edward II, 1316,² there is a memorandum that whereas auditors of foreign accounts had been appointed in 4 Edward II to deal with the accounts of the lands of the Templars and of Walter Langton, those lands being no longer in the hands of the king and most of the accounts relating to them having been audited, the treasurer and barons had agreed that the aforesaid clerks should be discharged. On 12 May, 10 Edward II, 1317, however, the king directed that two auditors, Fulburn and Corton, should be retained in the service of the exchequer, since the treasurer had informed him that there was still need for some such auditors of foreign accounts.³

The enrolment of a letter of privy seal dated 27 August 1326,⁴ which is concerned entirely with matters relating to exchequer personnel, sheds a little more light on the history of the auditors at the end of the reign of Edward II. The final passage reads thus:

Et quant as auditours des acountes foreins de nostre dit Eschequer, voloms qe outre les cynk' qe ore sont qi nous vous nous auez enuoiez, soient sept autres solonc voz auis et sumes assentuz a William de Strikeston' parsonne de Denesford', Robert Pyl parsonne de Ken en Deuenshire qest od Hugh' de Curtenay, Johan de Holt qest od Leuesqe de Salesbirs, William de Muskham qest od Labbe de Westmonster, Johan de Elmham qest od Leuesqe Dely, Richard de Glatton' qest oue Labbe de Thorneye et Laurenz de Rustiton', as queux touz nous auoms mandez qils soient a nostre dit Eschequier, lendemeyn de la Seint Michel, a recevoir et faire ce qe appent a les offices auantditz.

Of the seven herein named, only three can be traced. Of these, Laurence Rustington was already an auditor and had been one since Michaelmas 1325, John Holt was excused from serving before he had time to take up the new duties,⁵ and Richard Glatton did not, seemingly, enter office at once because his name does not appear on the Issue Rolls until 1 Edward III.

DOROTHY M. BROOME.

¹ *Ante*, xxxviii. 63.

² Exch. Mem. Roll, King's Rem., no. 90; Lord Treas. Rem., no. 87, *Communia Michaelis Recorda*.

³ *Ibid.*, Breuia Directa Baronibus Pasche; *Cal. of Close Rolls, 1313-18*, p. 407.

⁴ Exch. Mem. Roll, King's Rem., no. 102, Breuia Directa Baronibus Trinitatis.

⁵ *Ante*, xxxviii. 71, list and n. 10.

Notices of Periodical Publications

THE following list includes articles on medieval European history and modern European history down to 1914 in those numbers of the periodicals examined for which 1923 is given as the date of publication. Where a completed volume bears a different date, either as the year of publication or to indicate its place in a series, this has been disregarded; but the year 1923 has not been fully treated in this instalment, and it is hoped that omissions will be made up in future instalments, which are to be published annually with the July number of this Review. In particular it has been found necessary to postpone the issue of sections for Hungary and the Slavonic and Scandinavian countries. American history is not touched except in so far as it comes into contact with that of Europe, since the series of volumes *Writings on American History* has in the past adequately covered this ground. Articles of which the interest is mainly archaeological or genealogical are not mentioned, nor, for the most part, are articles of which the main purpose is the reviewing of individual books. Some articles have been omitted on the ground that they have received or will receive fuller notice in these pages. Permanent features of periodicals, such as the surveys of recent publications given from time to time in the *Revue historique*, have not been mentioned. Amongst articles which refer to particular localities an attempt has been made to select only those of wider interest. In several countries historical periodicals already publish full lists of the articles in local publications, and it is probable that English students who wish to consult such articles will use the existing means of reference. For British local publications a most useful guide will be found in the full lists of titles of articles printed quarterly since 1921 by *The Antiquaries Journal*. We hope to be able, in subsequent instalments, to bring several improvements into our notices of periodicals; that the faults of this first are not much greater is largely due to the most courteous assistance of the authorities of the Bodleian and British Museum Libraries, to whom we offer our best thanks.

General History and European International Relations

- L. Halphen, The place of Asia in the history of the world. *Rev. hist.*, vol. cxlii.
 W. Vogel, Division of periods in the history of western Europe. *Hist. Zeitschr.*, 3rd ser., vol. xxxiii.
 L. Halphen, The Asiatic origins of the great invasions. *Rev. belge de philologie et d'hist.*, vol. ii.
 W. Stach, Hunting in the Teutonic laws. *Hist. Vierteljahrschr.*, vol. xxi.
 P. Guilhiermoz, The money standard (taille du denier) in the early Middle Ages. *Bibl. de l'École des Chartes*, vol. lxxxiv.
 V. Tourneur, The *sou* of twelve *deniers* in the law of the Ripuarian Franks. *Rev. belge de philologie et d'hist.*, vol. ii.
 L. Gougaud, Religious recluses [two articles]. *Rev. Mabillon*, vol. xiii.
 H. Pirenne, The economic contrast between the Merovingian and Carolingian periods [the one being Roman and Mediterranean, the other immobilized and local, characterized by the rise of feudal tendencies]. *Rev. belge de philologie et d'hist.*, vol. ii.
 Léon Levillain, The authorship of the Formulary of Marculf. [A skilful attempt to review the long-debated question of the identity of Marculf and to estimate the authority of the formulary as a guide to the public and private law of the Franks.
 M. Levillain rehabilitates the theory of a Parisian origin and provides Marculf with

a new testimonial as the 'maitre consommé in arte dictandi' which Adolphe Tardif considered him.] *Bibl. de l'École des Chartes*, vol. lxxxiv.

M. Bloch, The origin and date of the 'Capitulare de Villis vel Curtis Imperii'. [Maintains that a certain decision between the authorship of Charlemagne (770-800) and Lewis of Aquitaine (794-813) is impossible.] *Rev. hist.*, vol. cxliii.

T. Mayer, the same. *Vierteljahrschr. für Sozial- und Wirtschaftsgesch.*, vol. xvii.

Glöckner, Origin and nature of the legal idea of forests. *Ibid.*

L. van der Essen, Hucbald of Saint-Amand [an important hagiographer of the ninth century. Conclusion]. *Rev. d'hist. ecclésiastique*, vol. xix.

R. Falk, Cultural relations of Italy and Germany, 900-1056 [survey of the sources with conclusion that the closer political relations of the time do not correspond to an equally improved communication of civilization]. *Archiv für Kulturgesch.*, vol. xv.

L. Gougaud, Relations of the abbey of Fleury-sur-Loire with Brittany and the British Isles. *Mém. de la Soc. d'Hist. et d'Archéol. de Bretagne*, vol. iv.

A. J. Carlyle, Development of the theory of the authority of the spiritual over the temporal power from Gregory VII to Innocent III. *Revue d'hist. du droit (Tijdschr. voor rechtsgesch.)*, vol. v.

R. W. Carlyle, The claims of Innocent III to authority in spiritual matters. *Ibid.*

U. Berlière, Honorius III and Benedictine monasteries. *Rev. belge de philologie et d'hist.*, vol. ii.

E. Emerton, History of the religious order of Altopascio ('de Alto Passu'). *Amer. hist. rev.*, vol. xxix.

G. Lizerand, Philip the Fair and the Empire in the time of Rudolph of Habsburg, 1285-91. *Rev. hist.*, vol. cxlii.

A. Doran, The 'Reformatio Sigismundi'. *Hist. Vierteljahrschr.*, vol. xxi.

E. von Ranke, Economic relations of Cologne with Frankfort, South Germany, and Italy, 1500-1650. *Vierteljahrschr. für Sozial- und Wirtschaftsgesch.*, vol. xvii.

H. Busson, The reaction against rationalism, 1542-53; Calvin, Ramus, Postel. *Rev. d'hist. de l'église de France*, vol. ix.

G. Labouchère, Guillaume Ancel, envoy resident in Germany, 1576-97 [two articles]. *Rev. d'hist. diplom.*, vol. xxxvii.

G. N. Clark, Dutch influences in seventeenth-century British history. *Nieuwe gids*, vol. xxxviii.

J. Lefèvre, Spanish ambassadors at Brussels under the Archduke Albert. *Rev. belge de philologie et d'hist.*, vol. ii.

J. Cuvelier, The preliminaries of the treaty of London of 29 August 1604 [continuation.] *Ibid.*

A. A. van Schelven, English independents and Dutch anabaptists [suggests doubts as to the soundness of the opinion that their common tendencies originated in England from the influence of Dutch immigrants]. *Ned. archief voor kerkgesch.*, vol. xvii.

W. T. Whitley, The Amsterdam Baptist colony and the local and religious antecedents in England of its members. *Baptist quarterly*, vol. i.

E. Biorklund, Abraham Duquesne in the Baltic, 1644-7. *La rev. maritime*, new ser., no. 44.

P. Geyl, William II, stadtholder of the Netherlands, and the Stuarts. *Scottish hist. rev.*, vol. xx.

P. M. Bondonio, Colbert and sugar: an incident of Franco-Dutch rivalry. *Rev. d'hist. écon. et sociale*, vol. xi.

C. G. Picavet, The diplomatic career under Louis XIV. *Ibid.*

Commdt. Herlaut, A mutiny during the siege of Trier, 1675. *Rev. des études hist.*, vol. lxxxix.

A. Pascal, The second attempt to repatriate the Piedmontese Vaudois, 1688. [Illustrates from unpublished documents of the Turin archives the fears of the Piedmontese government and people that an armed return would be attempted, and the

grants of money for this purpose even by Catholic Swiss cantons.] *Zeitschr. für schweizerische Gesch.*, vol. ii.

C. E. Fayle, The deflection of strategy by commerce in the eighteenth century. *Journ. of the Royal United Service Inst.*, vol. lxxviii.

J. É. Gérock, The lines of Wissembourg or of the Lauter and the northern frontier of Alsace [tracing the history of the military position from 1702 to 1793 and its relation to the political frontier]. *Rev. hist.*, vol. cxliii.

C. de la Roncière, The battle of Velez Malaga and its consequences. *Acad. de Marine: Communications et mém.*, vol. i.

L. G. Carr Laughton, The battle of Velez Malaga, 1704. *Journ. of the Royal United Service Inst.*, vol. lxxviii.

H. de Landosle, The congress of Baden, 1714. *Revue des questions hist.*, vol. li.

J. Becker, The embassy of the marquis de la Mina to Paris, 1736-40. *Bol. de la Real Acad. de Hist.*, vol. lxxxiii.

C. E. Fayle, Economic pressure in the war of 1739-48. *Journ. of the Royal United Service Inst.*, vol. lxxviii.

T. von Karg-Bebenbun, The treaty of Nymphenburg. *Hist. Zeitschr.*, 3rd ser., vol. xxxii.

G. Dupont-Ferrier, The 'jeunes de langue' in Paris and Constantinople, 1762-96. *Soc. d'Histoire de France: Annuaire-bulletin*, 1923.

C. Jany, The seven years war [general survey in conclusion to the unfinished General Staff History]. *Forsch. zur brandenburgischen und preussischen Gesch.*, vol. xxv.

H. Dehérain, The mission of baron de Tott and Pierre Ruffin to the Crim Tartars, 1767-9. *Rev. d'hist. des colonies françaises*, vol. xv.

G. B. Volz, Prince Henry and the proceedings previous to the first partition of Poland. *Forsch. zur brandenburgischen und preussischen Gesch.*, vol. xxxv.

M. Herzfeld, The Prussian-Polish commercial treaty of 1775. *Ibid.*

A. Dumaine, Vergennes and American independence. *Rev. d'hist. diplomatique*, vol. xxxvii.

P. Doyon, The mission of the marquis de Sainte-Croix to Liège, 1782-91 [two articles]. *Ibid.*

J. Mathorez, German penetration in France, 1789-1914. *Rev. des études hist.*, vol. lxxxix.

W. M. Kozlowski, French relations with Poland in 1792-3 [two articles]. *Rev. d'hist. diplomatique*, vol. xxxvii.

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F. Charles-Roux, Bonaparte's Egyptian expedition and British policy in the Red Sea. *Rev. d'hist. des colonies françaises*, vol. xv.

G. Lacour-Gayet, Napoleon's crossing of the Mediterranean in 1798. *Rev. des études napoléoniennes*, 12^e année, vol. i.

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J. d'Auriac, The mission of the Neapolitan marquis de Gello to Paris under the Consulate. *Rev. des études hist.*, vol. lxxxix.

H. Weil, [prints] two unpublished letters of Gentz to Louis XVIII, 1805. *Rev. hist.*, vol. cxliv.

D. Baird Smith, [prints] letter of Admiral Colin Campbell, then a midshipman, describing the battle of Trafalgar as seen from the *Defiance*. *Scott. hist. rev.*, vol. xx.

M. H. Weil, [prints] report of the comte d'Hauterive to Napoleon on the affairs of Portugal, 1807. *Rev. d'hist. diplomatique*, vol. xxxvii.

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A. Stern, The Ems telegram at Bern [disproves from the correspondence of the Swiss minister in Paris, Kern, the assertion of Gramont that he had got the text of Bismarck's telegram from the Swiss president Dubs: his real source was Roeder, the Prussian minister at Bern]. *Zeitschr. für schweizerische Gesch.*, vol. iii.

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H. Ulmann, Disturbances of Bismarck's system of alliances in 1887. *Hist. Zeitschr.*, 3rd ser., vol. xxxii.

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E. Rothacker, Savigny, Grimm, and Ranke. *Hist. Zeitschr.*, 3rd ser., vol. xxxii.

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Marques de Rio Toria, Titles of honour past and present [with reference lists of ranks and orders]. *Bol. de la Real Acad. de Hist.*, vol. lxxxiii.

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J. Jud, The etymology of 'corvée' and 'verchère' [deriving them respectively from 'corrogata', the Roman law term for agricultural services rendered to neighbour or lord on the ground of mutual agreement—'Bittarbeit' according to Karl Bücher—and 'vercaria' of Southern, 'averjuria' of Northern Gaul, the portion mentioned by Caesar, B.G. 6, 19]. *Zeitschr. für Schweizerische Gesch.*, vol. ii.

J.-A. Brutails, Geographical distribution of monuments of the romanesque and Gothic periods. *Le moyen âge*, 2nd ser., vol. xxv.

P. G. Théry, History of the identification of St. Denys, first bishop of Paris, with Dionysius the Areopagite in the ninth century. *Ibid.*

P. G. Théry, Hilduin and the first translation of the writings of the pseudo-Dionysius. *Rev. d'hist. de l'église de France*, vol. ix.

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R. Fawtier, Hand-list of the Beaumont charters. [These charters from the collection of the Abbé de la Rue were formerly owned by Thomas Stapleton and concern

a number of monastic houses mainly in Normandy.] *Bull. of the John Rylands Lib.*, vol. vii.

L. Amiet, The privileged spiritual jurisdiction of the cathedral chapter of Chartres. *Rev. hist. de droit français et étranger*, 4th ser., vol. ii.

J. Régné, The Chartreuse of Bonnefoy, 1179-1500. *Rev. Mabillon*, vol. xiii.

R. Géstal, The delivery of criminous clerks to the secular arm in French ecclesiastical law in the thirteenth century. *Rev. d'hist. du droit (Tijdschr. voor rechtsgesch.)*, vol. v.

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C. Brunel, Tabula Paschalis of Guillaume de Mandagout. [Published avowedly because of the fame of the canonist rather than as a contribution of independent value.] *Bibl. de l'École des Chartes*, vol. lxxxiv.

Édouard Decq, The Administration of waters and forests in the Royal domain in France in the fourteenth and fifteenth centuries. [The fourth and last part of a posthumous work.] *Ibid.*

J. Viard, Corrections and additions to the itinerary of Philip VI of Valois. *Ibid.*

P. F. Fournier, Manuscript and printed advertisements of indulgences from the fourteenth to the sixteenth century. [A carefully catalogued summary.] *Ibid.*

E. G. Léonard, The opposition of the chapter of St. Martin of Tours to Séguin d'Anton, appointed administrator of the see in 1385 [prints an account from the Vatican Instrumenta Miscellanea, 4282]. *Le moyen âge*, 2nd ser., vol. xxv.

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H. Sée, The origin of municipal organisation in Brittany. [Municipal institutions hardly existed in Brittany before the fifteenth century, and became similar to those of the rest of France only in the course of the sixteenth.] *Annales de Bretagne*, vol. xxxv.

G. Espinas, Rural cloth-industry of Estaires, 1428-34. *Revue d'hist. écon. et sociale*, vol. xi.

F. Uzureau, The reform of the order of Fontevrault, 1459-1641. *Rev. Mabillon*, vol. xiii.

J. Vinot Préfontaine, John bishop of Bar and the siege of Beauvais in 1472. *Rev. des questions hist.*, vol. li.

H. Stein, The inhabitants of Evreux and Louis XI's resettlement policy at Arras [supplies a useful comment on the comparative strengths of localism and monarchy]. *Bibl. de l'École des Chartes*, vol. lxxxiv.

N. Weiss, Huguenots imprisoned at the Conciergerie in Paris in March 1569. [This continuation of the author's book, *Les protestants parisiens* (1901), contains definite evidence that amongst those imprisoned was the celebrated Jean Bodin.] *Soc. de l'Hist. du Protestantisme Français: Bull.*, vol. lxxii.

B. Faucher, The Registers of 'l'état civil protestant' in France. [A lucid sketch of the anarchical conditions which arose out of political indecision on the one hand and an indifference with a basis of doctrine on the other.] *Bibl. de l'École des Chartes*, vol. lxxxiv.

C. Turgeon, The economic ideas of Sully. *Rev. d'hist. écon. et soc.*, vol. xi.

P. de Vassière, The Marillacs and Richelieu. *Rev. des questions hist.*, vol. li.

C. Garrisson, The siege of Montauban in 1621. *Soc. de l'Hist. du Protestantisme Français: Bull.*, vol. lxxii.

A. Degert, The marriage of Gaston of Orleans and Margaret of Lorraine [two articles]. *Rev. hist.*, vols. cxliii-cxliv.

A. Clergeac, Attempts at reform in the abbey of Saramon from 1638. *Rev. de Gascogne*, vol. xviii.

M. Dubruel, The Roman Curia and the extension of the *régale* in France [two articles]. *Rev. d'hist. de l'église de France*, vol. ix.

L. Blanc, The 'soldats de marine' of Louis XIV under the decree of 1689. *La rev. maritime*, new ser., no. 37.

H. G. Fordham, The *Listes générales des postes de France*, 1708-9. *The library*, 4th ser., vol. iii.

H. Sée, Notes on statistics and processes of French industry in the eighteenth century. *Rev. d'hist. écon. et soc.*, vol. xi.

H. Sée, Industry and commerce in Brittany in the first half of the eighteenth century. *Annales de Bretagne*, vol. xxxv.

H. Sée, Rural industry in France and the causes of its extension in the eighteenth century. *Rev. hist.*, vol. cxlii.

C. de la Roncière, The old Académie de la Marine, 1752-93. *Académie de Marine : communications et mém.*, vol. i.

E. G. Léonard, Protestants in the eighteenth century in the marquisate of Aubais [conclusion]. *Soc. de l'Hist. du Protestantisme Français : Bull.*, vol. lxxii.

A. Deget, The provincial assemblies of the Gascon clergy [continued]. *Rev. de Gascogne*, vol. xviii.

H. Sée, The 'sociétés d'agriculture' at the end of the old régime. *Annales révolutionnaires*, vol. xv.

H. Sée, The reclamation of waste lands in France at the end of the old régime. *Rev. d'hist. écon. et soc.*, vol. xi.

H. Sée, The origins of capitalist industry in France at the end of the old régime. *Rev. hist.*, vol. cxliv.

H. Sée, The division of communal lands in France at the end of the old régime. *Rev. hist. de droit français et étranger*, 4th ser., vol. ii.

M. Peyre, The French in Corsica, 1768-89 [two articles]. *Rev. des questions hist.*, vol. li.

F.-P. Renaut, The family compact and French colonial policy [conclusion : since reprinted in book-form]. *Rev. d'hist. des colonies françaises*, vol. xv.

A. Aulard, The absence of the 'theory of violence' of modern revolutionists from the French Revolution. *La révolution française*, new ser., no. 18.

H. Poulet, Public opinion at Thann in 1791-5. *Rev. hist. de la révolution française*, vol. xi.

F. Bræsch, The petitions of the Champ de Mars, 15-17 July 1791 [three articles with reply by A. Mathiez]. *Rev. hist.*, vols. cxlii-cxliv.

G. Bellissent, Count Fersen as creditor of Louis XVI. *Rev. hist. de la révolution française*, vol. xi.

Comte Mareschal de Bièvre, The September massacres at Meaux. *Rev. des études hist.*, vol. lxxxix.

F. Uzureau, the same. *Ibid.*

A. Mathiez, The true nature of the quarrel between Girondins and Montagnards [emphasizing the comprehensiveness of the differences]. *Annales révolutionnaires*, vol. xv.

A. Mathiez, The revolution and subsistence : the general maximum of September 1793 [two articles]. *Ibid.*

A. Mathiez, The economic dictatorship of the committee of public safety. *Ibid.*

F. Masson, The *affaires* Becdelièvre and Duchatellier. *Rev. des études napoléoniennes*, 12^e année, vol. i.

E. L. Burnet, Veyrat and Perlet [two Genevese in the service of Napoleon, as to whom information is here given from the Geneva archives supplementary to that in

G. Lenôtre, *Les agents royalistes en France au temps de la Révolution et de l'Empire*, 1923]. *Zeitschr. für schweizerische Gesch.*, vol. iii.

P. de la Gorce, The Concordat of 1801. *Rev. des deux mondes*, 7th ser., vols. xvi-xvii.

J. Contrasty, The retirement of L.-A. La Tour du Pin-Montauban, archbishop of Auch, in 1801. *Rev. de Gascogne*, vol. xviii.

H. Dehérain, prints letters of members of the mission of Gardane to Persia in 1807-9 to Pierre Ruffin, counsellor of the embassy at Constantinople. *Rev. de l'hist. des colonies françaises*, vol. xvi.

M. Handelsman, Lazare Carnot on the Hundred Days [given in conversation in 1816 at Warsaw]. *La révolution française*, new ser., no. 18.

H. Sée, The development of French industry, 1815-48. *Rev. d'hist. écon. et soc.*, vol. xi.

E. Le Marchand, The Concordat of 1817 [from the Archives des Affaires Étrangères]. *Rev. des questions hist.*, vol. li.

G. Fagniez, Public opinion and historians in the interpretation of French history from 1820. *Revue universelle*, vol. xiii.

Baron de Méneval, [prints] Letters of Queen Hortense to Louis Napoleon and the Abbé Bertrand, 1823-6 [three articles]. *Rev. d'hist. diplomatique*, vol. xxxvii.

G. Vauthier, Mgr. de Quélen, archbishop of Paris, and the government of Louis-Philippe. *La révolution de 1848*, vol. xx.

A. Zévaès, Proscribed French exiles in London in 1848 and 1851. *Ibid.*

P. Deloncle, The French bombardment of Salee in 1851 [two articles: prints original documents]. *La rev. maritime*, new ser., nos. 37-8.

G. Vauthier, Mgr. Pie, bishop of Poitiers, and the government of Napoleon III. *La révolution de 1848*, vol. xx.

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A. von Fumetti, Outline of the development of German law. *Archiv für Kulturgesch.*, vol. xv.

J. W. Thompson, German feudalism. *Amer. hist. rev.*, vol. xxviii.

H. Krabbo, The Ascanian margraves of Brandenburg as electors. *Forsch. zur brandenburgischen und preussischen Gesch.*, vol. xxxvi.

G. Wentz, Economic history of the Augustinian nunnery of Diesdorf [especially in relation to the country-side: supplementary to other works of the author's on this nunnery]. *Ibid.*

H. Kretschmar, Brandenburg and the Wettin lands, 1464-86. *Ibid.*, vol. xxxv.

L. Gross, Registers of the Rhine toll at Mainz, 1486-92. *Vierteljahrschr. für Sozial- und Wirtschaftsgesch.*, vol. xvii.

E. Pietsch, The commercial decline of the Saxon Vogtland in the sixteenth century. *Mitteilungen des Vereins für vogtländische Gesch.*, vol. xxxiii.

A. A. van Schelven, Willem Klebitius. *Bijdr. voor vaderl. gesch. en oudheidk.*, 5th ser., vol. x.

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V. Heydemann, The Anti-Machiavel of Frederick. *Hist. Vierteljahrschr.*, vol. xxi.

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O. Tschirsch, Knesebeck and Sieyès [supplements Otto Brandt's article, *ibid.*, vol. cxxvi]. *Hist. Zeitschr.*, 3rd ser., vol. xxxii.

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F. Baethgen, Johannes von Winterthur's account of the battle of Baumgarten [points out a striking verbal parallel with the narrative of the preparations of the Jews against Holofernes, Judith, iv. 1 ff.]. *Ibid.*

F. Vetter, Swiss legends of the Reformation [detailed treatment of the tradition of the manner of the death of Zwingli in the battle of Kappel, of which only Myconius and the contemporary ballads are accepted as authentic, while the so-called arms of the reformer preserved at Zurich are probably spurious]. *Ibid.*

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THE ENGLISH HISTORICAL REVIEW

NO. CLVI.—OCTOBER 1924 *

The Beginning of the Year in the English Chronicle

THE date of the commencement of the year in the Alfredian Chronicle, A. D. 866–87, was discussed by the late Mr. Murray L. R. Beaven in an article printed in volume xxxiii of this Review.¹ He argued that the writer of the chronicle did not begin the annalistic year at Christmas, as historians used to assume, but at the preceding Caesarian indiction, that is, 24 September. His conclusion has not been challenged, and may be accepted as the starting-point of the present article.

In a previous contribution² Mr. Beaven had touched upon this same subject, in arguing for 899 as the date of the death of Alfred, and for 939 as that of the death of Athelstan. He maintained 'that in the first half of the tenth century there were southern chroniclers who still adhered to this [indictional] system of computation, while the Northumbrian annalists had abandoned it before 899'.³ The present note is intended to supplement these two contributions of Mr. Beaven, and will discuss the question of the commencement of the year in the annals of the half-century which intervened between A. D. 887 and the accession of Edmund, A. D. 939. The limits assigned to the inquiry are determined by the articles to which I have alluded. I begin at 887 because Mr. Beaven has demonstrated that the indictional reckoning was used down to that year, and I shall not pursue the discussion beyond 939 because he admitted that from the reign of Edmund onwards the chroniclers calculated in years which began at Christmas.⁴ The gap left by Mr. Beaven has not been systematically covered by the other workers in

¹ *Ante*, xxxiii. 328–42.

² *Ante*, xxxii. 517–31.

³ *Ibid.* p. 530.

⁴ Mr. A. Anscombe (*Athenaeum*, 1900, no. 3811, p. 616), criticizing Sir J. Ramsay, has maintained that the use of the Caesarian indiction was continued after the reign of Eadred, but he has not proved his point.

this field ; neither by his predecessors Mr. W. H. Stevenson and Mr. A. Anscombe, nor by Mr. R. L. Poole, in more recent articles on the beginning of the year.¹ I hope to show that there is evidence pointing to an earlier disuse of the indictional year than has hitherto been supposed, and that the change from the one method of reckoning to the other should not be assigned, as Mr. Beaven thought, to the reign of Edmund, nor, as Sir James Ramsay suggested, to the time of Eadred (owing to the influence of St. Dunstan), but that it was without doubt introduced under Alfred.

The most convenient plan will be to begin at the end of the period, and to work backwards. The entries in the chronicle for the reign of Athelstan, which are the first to be considered, are notoriously meagre and unsatisfactory. The history of the Danish wars, which since the time of Alfred had been told with fair continuity and fullness, is here interrupted ; and we find in its place only a few odd scraps of information and the song of Brunanburh. There can be no doubt that this part of the work was compiled by a later editor, who was hard put to it to fill the gap in the national history. There is no reason to suppose that the miscellaneous jottings about Athelstan's reign were pieced together earlier than the similar entries which are served up as the chronicle of the reigns of the immediate successors of Athelstan. Dr. Armitage Robinson thinks that all this section was compiled about the year 955.² It is, therefore, on the face of it improbable that there should have been a change in the method of marking chronology such as is suggested by Mr. Beaven, when he speaks of the method of reckoning from Christmas 'being adopted by the chronicle from the reign of Edmund onwards'. If we agree with his date (939) for the death of Athelstan, we must hesitate to accept his view that the chroniclers when they recorded the death under '940' were thinking of a year which began in the previous September. The dates of the chronicle in the middle of the tenth century are notoriously inaccurate, and no further explanation of an error is necessary.

In spite of the fragmentary character of the entries for Athelstan's reign, they contain one piece of positive evidence which tells against the theory that the year was still reckoned from the indiction. Manuscript A of the chronicle (also known

¹ W. H. Stevenson, 'The Date of King Alfred's Death', *ante*, xiii. 71 ; A. Anscombe in *British Numismatic Journal*, series i, iv. 241 ff., and v. 381 ff. ; correspondence of the above and of Sir J. Ramsay in *Athenaeum*, 1900 (no. 3804) p. 380, (no. 3810) pp. 579-80, (no. 3811) p. 616, (no. 3814) p. 724 ; R. L. Poole in *Journal of Theological Studies*, xx. 24 ff., and *The Beginning of the Year in the Middle Ages* (Proceedings of the British Academy, 1922).

² *The Times of Dunstan*, pp. 18 and 28.

as the 'Parker' or 'Winchester' manuscript) says *sub anno* 931 that Byrnstan was ordained bishop of Winchester on 29 May, and that he held the bishopric two and a half years. The death of Byrnstan is recorded correctly two and a half years later. It is in November 933. If the author of the chronicle had been writing of indictional years, the death would have been assigned to November 934.

Let us now turn from the unsatisfactory records of Athelstan's reign to the much fuller narrative of the reconquest of the Danelaw under his father Edward. Though the story itself seems to be told by a contemporary, great confusion has crept into the chronology. This is partly caused by the fact that the record of the doings of Æthelflaed, known as the Mercian Register, cannot easily be fitted into the main chronicle. For our present purpose it is unnecessary to discuss the problems presented by the discrepancies between the dates given by the different versions of the chronicle, since the evidence of this section bearing on the question of the *caput anni* can be here reviewed without attempting to discover the true dates of events.

Two entries of the main chronicle which should be specially noticed as incompatible with the September ending of the year are those now recorded under 918 and 921. Under 918¹ is an account of a lengthy campaign waged by invaders who finally departed 'in autumn'. And then, it is said, 'after that in the same year before Martinmas [11 November], King Edward went with his force to Buckingham and remained there four weeks'. The chronicle then goes on to tell of the construction of burhs and of other doings before the end of the year. The annal for 921² begins with the building of a burh before Easter (1 April). It describes in detail successes of the summer and autumn. It continues, 'Then after that in the same year before Martinmas (11 November) King Edward went to Colchester and repaired the burh', and it ends with a record of submissions made subsequently by the Danes of East Anglia and of Cambridge.

It is obvious that these annals cannot be reconciled with an indictional year; but we must set against them the evidence of another annal, equally part of the story of the reconquest of the Danelaw, told in the main chronicle. This entry can be fitted into an indictional year, but is incompatible with a year beginning either at the Annunciation or at Christmas.

913.³ In this year, about Martinmas, King Edward commanded the

¹ In A originally 917. In versions B, C, and D 915. Corrected by Sir Charles Oman to 913.

² Originally 920. This annal is peculiar to A. Corrected by Sir Charles Oman to 916.

³ In A originally 912. Corrected by Sir Charles Oman to 911.

north burh to be built at Hertford. . . . And then, the summer after that between the Rogation Days and Midsummer, King Edward went with some of his force to Maldon. . . .

Some further light on the usages of the Edwardian period is thrown by the Mercian Register, which is found fitted into the manuscripts B, C, and D of the chronicle.

In the manuscripts B and C under 913¹ we are told that Æthelflaed built the 'burh' at Eddisbury 'in the early summer ; and afterwards, in the same year, *at the latter end of autumn*, that at Warwick'. Since 24 September was thought to be 'mid-autumn', the harvest equinox,² we may claim this as one more example of an annal which does not end at the indiction. The next words in the Mercian Register tell a similar story. 'In the next year after Midwinter [Æthelflaed built] that at Cherbury and that at "Weardbyrig"; and that same year, *before Midwinter*, that at "Rumcofa".'

This is all the information which can be extracted from the chronicles of Edward's reign. Though not conclusive, it seems on the whole to support the view that men were at this time both in Mercia and in Wessex generally reckoning by years that were held to begin at Christmas. But the record in the main chronicle under '913' suggests that the new system was not completely established, and that an annalist might almost unconsciously revert to the older chronological method which had been recently in general use.³

We must now pass from the records of Edward to those of the latter part of Alfred's reign. The annal under 901⁴ reporting the death of Alfred was discussed fully by Mr. W. H. Stevenson,⁵ in an article which he contributed to this Review in 1898. His arguments, supplemented by those of Mr. Beaven, justify the use of this annal in support of the theory that the reckoning was still made from the indiction. But even if the true date of Alfred's death were indisputable, this annal, like that for 913, would have to be considered an exception to and not an illustration of the prevailing methods of computation. To prove this statement we must now study the entries for the closing years of Alfred's reign. These must be divided into two distinct sections : first, the annals dated 887 to 891, which have been thought by some to belong to the earlier portion of the Alfredian Chronicle, and which may

¹ Thorpe's edition. In Plummer's edition *sub anno* 914. Oman, 913.

² *Ante*, xxxiii. 340, n. 43, and Plummer, ii. clii.

³ Such variations were not infrequent in the middle ages. Thus F. K. Ginzel (*Handbuch der Mathematischen und Technischen Chronologie*, iii. 153) says, speaking of a later period, that often in the same chancery changes were made from one kind of indiction to another. The method of computation depended largely on the individual writer.

⁴ In A originally 900.

⁵ *Ante*, xiii. 71-7.

at any rate be distinguished as a debatable ground intermediate between two well-marked sections; and second, the annals dated in the same manuscript 893 to 897 (originally 892 to 896), which contain the detailed patriotic narrative of the last war of Alfred. Working backwards as before, let us first examine the evidence contained in this famous narrative of the last campaigns. It has long been recognized that there is an apparent discrepancy of one year between the chronology of this section of the English Chronicle and that of the continental chronicles.¹ To illustrate this, it will be sufficient to mention the dates assigned by them for the beginning and for the end of the invasion.

The English Chronicle (manuscripts A, as 'corrected', B, C, and D) says that the great army was shipped from Boulogne and landed at the Limen mouth in 893, and that soon afterwards in the same year Haesten with another fleet arrived at Milton (in the north of Kent). The annals of St. Vaast says that the northmen left Francia and crossed the sea in 892 'in the autumn'.² There is a similar discrepancy of one year in the date assigned for the end of the war. The English Chronicle says that in the summer of 897 'the army went some to East Anglia, some to Northumbria, and those that had not money got themselves ships and went south over sea to the Seine'. The annals of St. Vaast record the return of the Northmen and their reappearance in the Seine under 896.³ There is no doubt that in either case the continental chronicler according to our modern reckoning was right and the English chronicler, as 'corrected', was wrong.⁴

What is the explanation of this discrepancy? How did it arise? This is the question which must now be discussed. There are three possible answers.

1. We may continue the theory of indictional years, by which Mr. Beaven reconstructed the chronology from 866 to 887.

2. We may apply the hypothesis which Mr. W. H. Stevenson put forward as a possible explanation of the apparent mistake in the date assigned by the chronicle for the death of Alfred.⁵ Very tentatively he suggested that the error of two years (901 being substituted for 899, which he maintained to be the true date) was due to a double source of confusion; both to a reckoning by years which began before Christmas, and also to a mechanical error caused by a scribe shifting the annuary numbers in the process of copying the manuscript.

¹ In saying this and in what follows we are of course referring to the 'corrected' dates of 'A' as printed in all editions of the chronicles, not to the dates as originally written in A.

² *Mon. Germ. Hist.*, S.S. i. 528 (ed. 'in usum scholarum', p. 72).

³ *Ibid.* p. 530 (ed. 'in usum scholarum', p. 78).

⁴ E. Dümmler, *Geschichte des Ostfränkischen Reiches*, ed. 2, iii. 352; W. Vogel, *Die Normannen und das Fränkische Reich*, pp. 371-2.

⁵ *Ante*, xiii. 73-6.

3. The third possible explanation is that the discrepancy is due to a mechanical shifting of the dates in copying, and to that alone. It is the view of Steenstrup and Plummer and of most modern historians who have followed them.¹

We intend to argue that this last view must still be accepted, by showing that neither of the first two possible explanations can be satisfactorily fitted to the facts narrated in the chronicle.

1. Let us then begin by trying to apply the theory that the chronicler was still reckoning by indictional years. This would get rid of the discrepancy which we have already noticed between the dates given by the English chronicler and by the Frankish annalist for the coming of the Northmen from Francia to Kent, since if the invasion assigned by the Frank to the autumn of 892 occurred later than 24 September, it would on the indictional year theory be included by the English chronicler in his year 893. But difficulties appear as soon as the theory is applied to the long story which the chronicler tells under the date 894.

In this year, that was a twelvemonth after they had made a 'work' in the east kingdom,² Northumbria and East Anglia had given oaths to king Alfred. . . . Then king Alfred gathered his fyrd and went until he encamped between the two armies [i. e. the 'Great Army' and the army of Haesten]. . . .

When was it that Alfred gathered his force and took up his position between the great Danish army camped in the south of Kent and the army of Haesten in the north? If we suppose that these years were reckoned from the indictions, '893', the year of the invasion, would have ended at our 23 September 893; and '894', the annal in which Alfred gathers his forces, would not begin till our 24 September 893. In other words, we should have to admit that Alfred waited almost a year before he collected his army to deal with the invaders. The indictional year theory therefore reduces the story of the chronicle to absurdity. Still more absurd and impossible would it be to suppose that all the complicated campaigns described in this annal, including the three successive raids from the Danelaw to the west of the kingdom, could be crowded into a few weeks. But if the year were an indictional year this would be necessary, because the last operation, the descent on Chester, was made 'before winter';

¹ Steenstrup, *Normannerne*, ii. 74, n. 1; Plummer, i. 85, n. 1; ii. 95, 108.

² The annalist's opening attempt to fix his chronology by reference to the construction of a fort is not helpful. Thorpe's identification of the 'work' with that reported to have been made by Haesten at the end of '893' at Milton must be rejected, because 'the east kingdom' presumably means what it means at the beginning of the annal for '893', the east kingdom of the Franks. But it is curious that the chronicler should date an event by another of which he has said nothing, an event which does not appear to have been specially important, and which occurred not in his own country but on the Continent.

and that this must have been the winter of 893-4, not that of 894-5, is evident from the final words of the annal: 'And that was a twelvemonth after they had come over sea hither.' A similar argument might be pursued through the annals of '895' and '896'. But what has been said about that for '894' is sufficient to show that the author of this section of the chronicle was not writing about years which began in the preceding September instead of at Christmas.

2. We pass, therefore, to the second possible explanation with its hypothesis of a double error. This at the outset seems to meet the difficulties which we encountered in applying the first theory. According to this explanation, the annal '893' of the chronicle is assumed to represent the twelve months from 24 September 891 to 23 September 892. The invasion of the great army, which we know occurred in the autumn of our 892, would accordingly be placed towards the end of the twelve months, i. e. at the beginning of the autumn (instead of at the end of the autumn, as in theory no. 1). The campaigns described under '894' would follow on naturally. There would be no great interval between the arrival of the Danes and gathering of the fyrd by Alfred to hold them in check. The raid to Chester, the last event of the annal, which the chronicle says was 'before winter', would have to be placed before 24 September 893, and this would be, as stated by the chronicle, twelve months after the Danes had crossed the Channel.

But this interpretation has obviously its difficulty. The first three weeks of September, in which the Chester raid has to be placed, would more naturally be described as 'before mid-autumn' than as 'before winter'. However, on the assumption that this objection is not fatal, let us pursue further this reading of the story. Let us go on to the entry given under '896'.

The chronology of this annal is complicated by the fact that it includes the events of more than twelve months.¹ It begins '896. In the same year the aforesaid army made a "work" on the Lea twenty miles above London. Then in the summer after' an attack was made on the Danish fort.

Now the opening phrase of the annal, 'In the same year' (On þy ylcan gere), seems to make it clear that the writer is here ignoring the date which had been entered in his manuscript, and is reverting to the events of the previous annal. He is, in fact, making good an omission. He wishes to tell about the attack on the fort in the summer of '896', but he cannot do so without

¹ For other examples of this in the chronicle see A.D. 855, 887, and the article of R. L. Poole, *ante*, xvi. 721. Cf. also W. H. Stevenson, *ante*, xiii. 74: 'This striving after continuity of narrative has been one of the most fruitful causes of chronological mistakes in our later chroniclers.'

mentioning that this fort had been constructed in '895'. If this is granted, there is no difficulty in the chronology of the rest of the annal, but the story which is told is one which cannot be fitted into a year ending on 23 September. It describes incidents of the summer and of the autumn 'while the people reaped their corn'; and it goes on to narrate how thereafter Alfred made two forts, on either side of the Lea, how the Danes then forsook their camp on the Lea and went to Quatbridge on the Severn, and there made another fort, how the fyrd rode west after the Danes, who then settled themselves for the winter at Quatbridge. 'That was three years after they had come hither over sea to the mouth of the Limen.' We are surely justified in calculating that these elaborate operations in the east and west of the country could not have been crowded into the short interval between harvest time and 23 September. If so, it becomes evident that the second hypothetical explanation of the chronology of this section of the chronicle makes the narrative almost, though not quite, as incredible as did the first. We therefore have reason to reject the idea of a reckoning by indictional years in either of the ways suggested. And there is then no other choice but to fall back on the old theory that the dates given by the 'corrected' chronicle for the last war of Alfred show an error of one year which must be due to some mistake. Mr. Stevenson and others have shown how this mistake may have arisen in manuscript A.¹ But this is a point to which we must return later.

The result of our inquiry so far has been that each of the periods which we have examined, the reign of Athelstan, the reign of Edward, and the period of the last war of Alfred, has contributed some evidence that the authors of the chronicle had ceased to begin their years in September. Only in one annal, 913, have we found an obvious lapse to the old method of including events before Christmas in the history of the year. Since Mr. Beaven has demonstrated the use of the indictional years down to 887 and our argument has tended to disprove their use (except by an occasional lapse) from 893, it follows that the change must have been introduced during the years 888 to 892. It now remains, therefore, to examine this last section in order to see if we can fix more precisely the point at which the change was made. The annals for 888 and 889 are short, and throw no light on the question; but those for 890 and 891, which resume the story of the Danish army on the Continent, present some points of interest and of difficulty.

Under the date 890 the chronicler contributes two facts about 'the Army'; first, that it 'went from the Seine to St. Lô', and, secondly, that 'the Bretons fought against them and had the

¹ *Ante*, xiii. 73-4.

victory and drove them out into a river and drowned many of them'. The time of the move to St. Lô is not beyond dispute. It certainly occurred after the Northmen had appeared (for the last time) outside Paris. The annals of St. Vaast place this return to Paris in the autumn of 889, but there is a charter which seems to refer it to July.¹ On the whole it seems reasonable to suppose that the advance to St. Lô was made towards the end of 889 and probably after 24 September. The other event in this annal of the English Chronicle, the victory of the Bretons, must be assigned to our 890. Thus there is reason to believe that this annal, like the previous section of the Alfredian Chronicle, was reckoning by years beginning in September.

Lastly we come to the annal dated 891 in A, and this must be taken in conjunction with the next entry in A under '892'. It will make the argument clearer if we take these two entries together, and analyse them into the following component parts:

(a) 'An. DCCCXCI. In this year the army went east.' If the writer was here thinking of the return of the army from the neighbourhood of Brittany to the district of the Seine and Oise, the event to which he refers occurred in the autumn of 890.² But in view of the fact that this opening sentence leads on to the mention of a battle which is evidently the battle of the Dyle in the east kingdom, i. e. the kingdom of Arnulf, it is better to interpret the words 'the army moved east' as referring to its move from the Oise, towards the Scheldt and the Meuse, in 891.

(b) 'And King Arnulf with the East Franks and Saxons and Bavarians fought against the mounted force before the ships came and put it to flight.' There is no doubt about the identification of this victory with the battle of the Dyle which occurred in the latter half of 891. The precise date of the battle has been much discussed. The latest theory is that of M. Vander Linden, who assigns the battle to a date as early as the last half of September or even the end of August.³ None the less the balance

¹ Dümmler, iii. 346; Vogel, pp. 346-7, 358; E. Favre, *Eudes*, p. 128.

² Cf. the annals of St. Vaast, s.a. 890: 'Brittanni vero viriliter suum defensavere regnum, atque afflictos Danos Sequanam redire compulerunt. Imminente vero festa omnium sanctorum, Dani per Sequanam Hisam ingressi. . . .'

³ Mr. R. L. Poole has called my attention to M. Vander Linden's article in the *Revue Historique*, cxxiv. 64-81 (1917). An account of the development of the controversy with references will be found on pp. 76 ff. I hesitate to accept M. Vander Linden's solution of the problem for the following reasons:

(1) Arnulf only planned the campaign of the Dyle to avenge the defeat of his forces by the Northmen on 25 June (Reginonis Chron. s.a. 891). He was then at the other end of his kingdom 'repressing the insolence of the Slavs'. From a charter we know that he was at Mattighofen in Bavaria on 21 July. It seems most reasonable to suppose with A. Dobsch (in *Mitteilungen des Instituts für österreichische Geschichts-*

of probabilities seems to incline to the older view which places the victory in the last half of October. If the battle was really fought after 23 September its insertion under 891 marks the English Chronicle's departure from the use of indictional years.

(c) There follows the story about the arrival of the three pilgrim Scots from Ireland—a passage which has no bearing on our present subject.

(d) The date 'An. DCCCXCII' is written in the same handwriting at the foot of the verso.

(e) At the top of the next verso a new scribe begins in a different handwriting: 'In the same year after Easter, about the Rogations or earlier, appeared the star which in book-Latin is called *cometa*.' Mr. Stevenson has shown¹ that the comet thus recorded is the comet of May 891. This proves conclusively that the date DCCCXCII had been overlooked by the new scribe, and that when he said the comet appeared 'In the same year', he was indeed referring to 891.

Thus, looking at these entries under 891 and '892' as a whole, we see that though there was some confusion in the sequence of events, since the new writer notices a comet of May 891 after a battle which had been fought in the late summer or autumn of the year, and though the failure of the new writer to cross out the datal numerals DCCCXCII entered by his predecessor was to cause much more grievous confusion in the future, the chronology is in other respects straightforward. If our interpretation of the phrase 'the army moved east' is correct, all the events described did actually occur in 891, the year to which the writers intended to assign them. There is no reckoning from the indiction. There is no discrepancy between the date (as first written) of the English Chronicle and that of the annals of

forschung, xv. 367 ff.), Vogel (*op. cit.* p. 367, n. 2), and R. Parisot (*Le Royaume de Lorraine*, p. 497, n. 2) that Arnulf took some three months to complete his dealings with the Slavs, and to summon, collect, and marshal his composite army.

(2) Some of the grounds on which M. Vander Linden dismisses 'the fantastic details' of the Saxon Chronicle about the composite nature of the army are not likely to commend themselves. He says that the chronicle is a 'much later' source! He thinks that the chronicler included Saxons in Arnulf's army because he wished that the ancestors of the Anglo-Saxons should participate in the glory of the campaign.

(3) He says that the assembly held by Arnulf at Maastricht on 1 October 'doubtless closes the campaign'. But this is simply begging the question. It is just as probable that the assembly was held while Arnulf was waiting for some of the contingents from the more distant parts of his kingdom.

(4) The identification of Noviomacum, where Arnulf granted a charter on 1 November, with Neumagen on the Moselle is interesting, but the fact that he had reached the Moselle on his return by 1 November is not inconsistent with the theory that the battle of the Dyle was fought some time in the latter half of October.

On M. Vander Linden's theory Arnulf waited about on the Meuse for no apparent reason for some weeks after he had defeated the Northmen. Is it not more probable that he should have waited there for the concentration of his troops *before* the battle?

¹ *Ante*, xiii. 78-9.

St. Vaast. Here then, it seems, may be located the point at which the Alfredian Chronicle changed from one system of chronology to another. Though the evidence is not absolutely conclusive, there is a high degree of probability that 890 is the last of the series of annals regularly reckoned as beginning with the September indiction, and that 891 is the first of a series which begins the year at some later day in the calendar, doubtless, as in the tenth century, at Christmas. This is the answer to the problem which we set before ourselves at the beginning of this article. But the result of the inquiry has further significance, and before we conclude, it will be well to indicate some aspects of its more general interest.

In the first place it has a bearing on the question where exactly was the ending of the original chronicle, that is, the parent chronicle as first compiled under Alfred. All authorities are now agreed that the work of editing the chronicle was carried out somewhere about the period 887-93. But when they attempt to fix the precise year at which the original chronicle ended, there is considerable disagreement. Earle and Beaven emphasize the importance of a break at 887.¹ Mr. Plummer habitually speaks of the Alfredian chronicle going 'up to 892'.² Horst, in a monograph published in 1896, argued that the first Alfredian author's handiwork could be traced down to the end of 893.³ In the present article we have found some reason to detect a change at yet another point (between 890 and 891), and at first sight it seems curious that this change from the old to the new method of reckoning the year should not exactly coincide with any of the other 'breaks'. But the different views to which we have referred are not necessarily irreconcilable, and they all agree in pointing to the importance of the six years 887-93 as the decisive age in the history of the chronicle. They suggest by their very diversity that the making of the chronicle was not the achievement of a few months, but that the work remained 'on the stocks' for some years. Mr. Plummer has sketched in his introduction (especially in section v) what he conceives to be the story of its formation. He thinks that copies of the original chronicle up to 892 were made and sent to different monasteries by Alfred, much in the same way that copies of the *Cura Pastoralis* were circulated at his bidding, and that these copies thus became the parents of the various manuscripts which have come down to us. The theory is of course only an inference from the internal evidence of the different versions, but though speculative it is valuable,

¹ Earle, *Two Saxon Chronicles Parallel*, p. xv; Beaven, *ante*, xxxiii. 331.

² e. g. Plummer, II. cii, cxiii, cxiv, cxvii.

³ K. Horst, *Zur Kritik der Altenglischen Annalen*, p. 14.

The contrast between the chronological methods up to and after 890 does, however, call for more attention to the importance of this particular year in the history of the chronicle, and raise the question whether Mr. Plummer has not post-dated by one or two years the time when the copies of the original chronicle were circulated at Alfred's order. There are two reasons for supposing that 890 (or the beginning of 891) rather than 892 was the date at which the transcripts were sent out. One is the change in the system of calculating the year. The other is the confusion in the numbering of the annals, which creeps into the different versions of the chronicle at this point. A glance at the six versions of the work given by Thorpe in parallel columns will show that down to 890 the dates of five out of the six manuscripts did agree at any rate for the Alfredian period.¹ The variation in the sixth manuscript, C, which from 853 had been consistently post-dated one year, was clearly caused by some scribal error. But immediately after 890 new variations develop in the important manuscripts A, D, and E. D inserts the annuary number '891'. It records nothing under it; and then assigns to 892 the battle of the Dyle and the other events which A, as described above,² enumerated partly under 891 and partly under the numeral 892. E also inserts the annuary number 891 and has nothing to record under it; but it differs from D in that it never makes good the omission. Under 892 it describes the invasions of the great army and of Haesten, entered under 893 in A, B, C, and D (though originally under 892 in A). F under 891 has the story of the arrival of the Scots, but it omits all mention of the victory of Arnulf and of the comet. These discrepancies and confusions could be easily explained if the copies of the 'original chronicle', which were to be the ancestors of D, E, and F, had been sent out about 890. They are much less intelligible if the copies were circulated as Mr. Plummer supposes in 892.

It is just possible that the change in the method of reckoning the year may have been one of the causes which contributed to this confusion. Thus the scribe who continued the transcript from which manuscript D is descended, writing according to Mr. Plummer in some northern monastery, may have been induced to place the annal recording the battle of the Dyle under the date 892 because he knew that an event of the autumn of 891 should be so entered under the old method, while the scribe of A, being in closer touch with the actual author of the chronicle, rightly entered it at first according to the new method under 891.

¹ Of these manuscripts, B should however be disregarded, since its dates are not original, but are added in a modern hand.

² p. 505.

But though it is conceivable that the new discrepancy between the dates given by D and the original dates of A may have originated in this way, the fact that the discrepancy is continued for some thirty years makes it far more probable that it should be regarded as an ordinary scribal error.

Looking back on the evidence, one may conclude that though the actual year of the transition may be challenged, there can be no doubt that the change was due to the influence of Alfred rather than to that of Dunstan. The initiative no doubt came from one of the helpers whom Alfred drew to his court. The correspondence between Charlemagne and Alcuin about the *caput anni*¹ shows that it was then natural for a king of active mind to take an interest in the subject. But even without this illustration we should be justified in assuming that the new mode was not introduced without the concurrence of Alfred himself. After the many 'creations' popularly attributed to Alfred in the middle ages and denied by modern historians, it is refreshing to be able to trace to him an innovation with which he has not hitherto been credited. When he tried to import monastic discipline from abroad into his monastery at Athelney, he failed lamentably; but in this minor detail of chronology the continental mode was adopted, and the English usage was given up. It was a defeat for insularity.

The main question of this article has now been answered; but there are one or two supplementary points which may be dealt with shortly.

In the first place one naturally asks whether any support can be found elsewhere for the view to which we have been led by the evidence in the English Chronicle. Asser's *Life of Alfred* and the later chronicles do not help us because they are, with one small exception, all based directly or indirectly on the English Chronicle. Mr. Beaven has, it is true, inferred that the author of the one exception (the fragment of northern annals used by Simeon of Durham and the compiler of the *Annales Lindisfar-nenses*) did not reckon his years from the indiction. This may be either, as he thought, a local usage of the north, or simply the peculiarity of one particular writer. But these annals for the period which we have covered are so fragmentary that one can scarcely construct on them either a positive or negative assertion.

The Land-books throw little light on the subject, because in the period with which we have dealt they rarely mentioned the time of year at which the grant was made.

As a last point I propose to call attention to the entry in the Chronicle under 851, in order to illustrate the strong probability that the indictional reckoning was used not only as Mr. Anscombe

¹ *Mon. Germ. Hist., Ep. Karolini Ævi*, ii, Ep. 145, p. 231 seq.

and Mr. R. L. Poole have shown in the time of Bede, and as Mr. Beaven has shown throughout most of Alfred's reign, but also in the intervening period. The manuscript A of the Chronicle records under 851 the following events :

- (1) A success of the men of Devonshire over the heathen.
- (2) A success at Sandwich.
- (3) The 'wintering' of the heathen for the first time (other manuscripts add 'in Thanet').
- (4) A raid of a large heathen army ending in their defeat at Aclea.

Though the order of these events is put somewhat differently in manuscripts B, C, D, and E, the wintering of the heathen always precedes the raid which was defeated at Aclea. Sir Charles Oman found great difficulty in the passage, owing to the fact that he was not acquainted with the reckoning of years from the indiction. He says :

It is almost inconceivable that a confused note occurring in the Chronicle and inserted in the middle of the campaign, can be correct, when it says that 'the heathen men for the first time remained over winter in Thanet'. If we had found it placed before the account of the battle of Aclea we might have accepted it—not without surprise. But written where it stands, it makes nonsense, and we can only suppose it to be a false duplication of the later entry under the year 855. It seems best to neglect the whole story ; is it likely that the ships' crews would have stayed in Thanet after the landing army had been exterminated ?

Sir Charles Oman's theory of a duplication between the entries for 851 and 855 is quite unnecessary. The true interpretation of the chronicle is no doubt that the heathen men wintered for the first time in Thanet in the winter of 850-1 (according to our reckoning), and for the first time in Sheppey in the winter of 854-5. Historians who deal with English history from the days of Bede to those of Alfred must beware of the modern idea that the winter of a year succeeds its summer.

R. H. HODGKIN.

Borough Representation in Richard II's Reign

THE printed materials available for a study of the personnel of the burgesses returned to parliament in the reign of Richard II are very scanty. Thousands of municipal records are still unpublished and uncalendared, and many others suffer from uncritical editing. Even among those which are privileged by having such editors as Maitland and Miss Bateson,¹ information relevant to the history of the boroughs in parliament at this period is rare. In nearly every case the local records yield only a few details about individuals whom we know from other sources to have been members of parliament. A full list of the citizens and burgesses returned on the sheriffs' writs has been published by the Public Record Office,² and the Rolls of Parliament are the source of much general information. But until a great advance has been made in the publication of municipal records, any conclusions reached can be only of a tentative nature.

The most perplexing fact which must strike any student of this subject is the discrepancy between the number of boroughs returned by the sheriffs and the number which sued for writs *de expensis*. The sheriff, as the returning officer, endorsed the writ of summons with the names of the knights elected by the county, and of the burgesses elected by the towns in his bailiwick. When the towns failed to supply him with the names of their representatives he noted the fact on the writ by the words 'nullum inde mihi dederunt responsum'.³ The total number of boroughs returning members in this way varies from parliament to parliament, but the number in the reign of Richard II is usually about seventy. Each borough normally returned two representatives, so that the number of individual burgesses returned would be about double the number of knights. But the writs *de expensis*, which were issued to the members at the close of each parliament, to ensure payment of their wages, tell a very different tale.

¹ *Charters of the Borough of Cambridge*, ed. Maitland and Bateson; *Records of the Borough of Leicester*, ed. Mary Bateson.

² Public Record Office, *Lists and Indexes: Members of Parliament, 1878*.

³ Riess, *Geschichte des Wahlrechts zum englischen Parlament*, p. 19.

The number of boroughs receiving these writs varies from three to twenty, but the average is below twelve. It is, moreover, extremely unlikely that there has been any failure to record the issue of writs to the towns, for the record of those issued to the knights is complete for every parliament in this reign.

Dr. Pollard has put forward the theory that, with a few important exceptions, the writs *de expensis* represent the actual number of burgesses present in parliament. The suggestion is tempting, but not altogether convincing. Dr. Pollard dismisses the idea that the burgesses did not trouble to claim their writs with the argument that 'if the landed gentry were not too proud to claim their wages the business-like burgesses can hardly be credited with contempt for such considerations'.¹ A few of the larger towns did, he admits, make other arrangements for paying their members, and could, therefore, dispense with the writs, but their number can only be computed at about half a dozen. From the spasmodic appearance of other towns on the writs he concludes that they had no such arrangement, and that therefore 'the writs may be taken as a fairly accurate indication of the size of the house of commons'. The undoubted predominance of the knights over the burgesses in the medieval parliament, and the alleged antipathy of medieval communities to representation, are adduced in support of this argument. There are difficulties in the way of accepting this view. It seems unreasonable to argue that the burgesses could not have been too proud to claim a payment which was claimed regularly by their social superiors. Pride, we may feel confident, played a very small part in such transactions, but it would have been almost impossible for the knights to obtain their wages without the aid of a writ. The shire was a large and disintegrated community, hardly, in fact, a community at all, and it was a matter of perpetual dispute as to where the liability for the payment of the knights' wages lay. Unaided by a writ it would have been impossible for the knight to enforce his claim throughout the shire. But with the burgesses it was very different. The borough members were usually important officials, the mayor, bailiff, or steward of the town often being returned. The borough was a compact community governed, as a rule, by an oligarchy of burgesses. In such circumstances, escape from the obligation of contribution to the members' wages must have been as difficult as it was easy in the shires. The Norwich records² suggest that it was possible for the borough representatives to obtain a higher rate of wages if they did not sue for the writ. On the Treasurer's Roll for 1375-6 we find recorded the payment of

¹ *Evolution of Parliament*, p. 317.

² *Records of the City of Norwich*, ed. Hudson and Tingey, ii. 44, 51.

wages to Bartholomew Appleyard and William Bliclyng for attendance at the Good Parliament. For eighty-one days' attendance and for their share in 'the common banquet there made by the Commons of the realm' they received £27 13s. 4d. The ordinary payment due to two members for eighty-one days would have been £16 4s. 0d., and, making full allowance for medieval appetites, it is difficult to believe that the Norwich citizens' share in the festivities could have cost their fellow-townsmen £11 9s. 4d. The supposition that the rate of payment was higher is confirmed by the record of the payment to Walter Bixton and Richard Whyte for twenty-one days' attendance at the Shrewsbury parliament. They received between them £7, which was payment at the rate of 3s. 4d. a day. The members for all the larger towns probably followed the example of Norwich and did their utmost to secure the higher wage. When they anticipated difficulties in the way of payment they could have recourse to the writs which would secure them the minimum rate of two shillings a day. It is, indeed, more than probable that the greater facilities for collecting money afforded by the towns provide one of the reasons why the burgesses were subject to a higher rate of taxation than the rest of the community.

A more serious difficulty is presented by a comparison of the parliamentary petitions with the writs *de expensis*. The presentation of a petition in parliament from a borough which normally returned members is a strong argument for the presence of those members in parliament. Some deputies would naturally have to be chosen, and it seems highly improbable that, when the burgesses had already elected two representatives and returned their names to the sheriff, they should not have resorted to the obvious expedient of entrusting the petition to those representatives who, as members of the commons' house, would have a prior claim to be heard. In 1378 Gloucester, together with other western towns, petitioned for protection against the dangers of the Marches;¹ the same year Canterbury citizens petitioned that they might take local customs in aid of building a wall;² Scarborough,³ Lynn,⁴ and Melcombe⁵ in 1379, Dunwich⁶ and Wareham⁷ in 1388, Guildford,⁸ Bridgwater, Barnstaple, and Wells⁹ in 1391 presented various petitions. In all these cases the towns concerned had returned the names of their representatives for the coming parliament to the sheriff; but in no case did they receive writs *de expensis*. None of them are among the important

¹ *Rot. Parl.* iii. 45, § 61.

² *Ibid.* p. 63, § 37.

³ *Ibid.* § 7.

⁴ *Ibid.* p. 255, § 11.

⁵ *Ibid.* p. 322, § 49.

⁶ *Ibid.* p. 53, § 11.

⁷ *Ibid.* p. 70, § 6.

⁸ *Ibid.* p. 254, § 7.

⁹ *Ibid.* p. 294, § 40.

cities which Dr. Pollard cites as making private arrangements for payment,¹ but it is impossible to believe that they were not represented.

Though a comprehensive examination of the records of the less important boroughs is necessary before any final conclusion can be reached, two instances taken from the material already printed are suggestive. Northampton, if we follow Dr. Pollard's line of argument, was unrepresented in the first parliament of 1382. Yet the *Liber Custumarum* of the borough notes that

At a congregation held in the church in Tuesday in Easter week (1382) in the time of Lawrence Haddon, Mayor, Simon Daventre and Richard Rawlyns were elected burgesses for the Parliament to be held at Westminster on the morrow of St. John before the Latin Gate then next ensuing.

The *Liber* records, further, an ordinance to the effect that hereafter the mayor of the town should automatically be chosen one of the burgesses.² It seems incredible that the burgesses should have held a formal public election and passed a resolution concerning future elections, if they had no intention of sending their representatives to Westminster. Again, the records of Barnstaple contain a memorandum in the accounts of the collectors and receivers of a payment of £3 to John Bedwille for his expenses in going to London for the two parliaments of 1393 and 1394;³ but a writ *de expensis* was issued to the mayor and bailiffs of Barnstaple for the parliament of 1394 only.⁴

Dr. Pollard lays stress on the unpopularity of parliamentary representation in the towns. The fact that the towns which sent members to parliament were taxed at a higher rate than those which were represented only by the knights of the shire is his strongest argument in favour of this view. He states that boroughs which were represented only by the knights of the shire were taxed with the shires and paid a fifteenth, while boroughs with representation of their own had their own taxation and paid a tenth. Yet by Richard II's reign the relative taxation of the shires and boroughs no longer depended on the presence of burgesses in parliament. In 1334 the tenth and fifteenth had been commuted for a fixed sum amounting to between £38,000 and £39,000, and the assessment of that year was accepted as final.⁵ Henceforward, each county and town was liable for a certain

¹ These are London, York, Bristol, Winchester, Salisbury, Southampton, Norwich, and Yarmouth (*op. cit.* p. 318).

² *Records of the Borough of Northampton*, ed. Markham and Cox, i. 248.

³ Chanter and Wainwright, *Barnstaple Records*, ii. 103. This may have been a payment of some extra expenses, for £9 for the two representatives was the payment ordered in the 1394 writ.

⁴ Prynne, *Parliamentary Writs*, iv. 425.

⁵ Dowell, *History of Taxation and Taxes*, 1888, pp. 86-7.

amount which had to be produced, whether members were sent to parliament or not. Boroughs, the representatives of which were not actually present in parliament, did, of course, escape liability for their wages, but they had to contribute their share towards the wages of the knights, who were paid at a higher rate and were indifferent, if not actually hostile, to the interests of the towns. It may indeed be questioned whether the reluctance of the cities and boroughs to return members was so universal as has been supposed. Only three grants of exemption from representation in parliament are recorded in this reign on the grounds of financial distress,¹ and it may be asked why it was necessary to procure such exemption if all expense could be avoided merely by failing to send members. The election at Northampton, already mentioned, suggests that the choice of representatives was an event of public importance. This impression is confirmed by entries in the Assembly Roll of Norwich, concerning elections to the first two parliaments of Richard II's reign.

October 2nd 1377. Walter de Bixton and Peter de Alderford were elected to go to a Parliament to be held at Westminster on the quinzaine of St. Michael. Four bailiffs (named) and thirteen citizens (named) were elected to consult with Walter and Peter to go to Parliament concerning matters touching the community.

Again, in January 1378, 'Walter de Bixton and Henry Lominour are elected to go to London to prosecute the confirmation of our charter of liberty and increase our liberties as they may be able'.² The point of view is provincial, but it is not antagonistic to parliament, which is spoken of with respect as a body from which the redress of grievances and the increase of liberties are expected to spring.

The Parliament Rolls give us very little help in solving the problem of the number of burgesses present in parliament. There seems sometimes to have been a roll-call of the commons at the opening of the session, frequently postponed owing to the failure of the sheriffs to return their writs in time. There is, however, no record that the replies to the second roll-call were defective,³ and by the statute of 1382⁴ any who failed to appear when summoned were subject to a heavy amercement. The roll of 1388 refers to the presence in parliament of the knights and burgesses 'for all the Counties, Cities and Boroughs of England',⁵ but too much meaning should not be read into phrases of this type. The fact for which it is most difficult to account is the

¹ Colchester (*Cal. of Patent Rolls, 1381-5*, p. 214; 1391-6, p. 379); Maldon (*ibid.* 1385-9, p. 508); Hull (*ibid.* 1381-5, p. 475).

² Hudson and Tingey, *Records of the City of Norwich*, i. 271.

³ *Rot. Parl.* iii. 184, 203, 329, 122.

⁴ *Statutes of the Realm*, 6 Ric. II, cap. 4.

⁵ *Rot. Parl.* iii. 238.

undeniable predominance of the knights over the burgesses in parliament. The Speaker was always chosen from the knights ; in the description of the Good Parliament given by the *Chronicon Angliae* the word *milites* is used for *communes* throughout ;¹ with one exception, we find no burgesses on a general parliamentary committee ;² and the fact that the boroughs were taxed at a higher rate than the shires is in itself significant of the predominance of the knights in parliament. Yet the degree of independence possessed by the knights has been so much overstated that it has, perhaps, led to some exaggeration of the difference between them and the burgesses. That the latter were present in sufficient numbers to be regarded almost as a separate estate, there can be little doubt. In 1381 the commons prayed that each estate might take counsel separately concerning the grant of a subsidy, 'the prelates by themselves, the great temporal lords by themselves, the knights by themselves, the justices by themselves, and all the other estates separately'.³ In 1382 a still clearer differentiation was made between knights and burgesses.

The knights of the shires, by themselves, prayed the lords of parliament that as it is well-known to everyone that for such an expedition the principal support should come from the merchants, that the merchants now present in parliament should bear the charge in particular.

In answer to this plea the prelates appointed a committee consisting mainly of London citizens, which included also Thomas Beaupine, member for Bristol, John Pulmond, member for Southampton, and Robert Sutton, member for Lincoln, to consult concerning the subsidy to be raised in support of the king's expedition to France.⁴ In 1391 the knights of the shire present in parliament made a protest against the protection extended by the cities and boroughs to fugitive villeins.⁵ The predominance of the knights, such as it was, must have been very largely social. They maintained themselves against both lords and burgesses by virtue of their social position. They were not great politicians ; they were not conspicuously wiser nor more expert than the burgesses ; in many ways they were more stereotyped, more apart from the progressive elements of contemporary life. Yet, in spite of the rapid development of commerce in the fourteenth century, the manor was still the most important unit in English social life, and as lords of the manor the knights held a position in society to which even the greatest merchants could not yet

¹ *Chronicon Angliae*, pp. 68-100.

² In 1379 William Walworth and John Philipot (London) and Thomas Gras (York) were members of the commission appointed to scrutinize the king's household (*Rot. Parl.* iii. 73, § 15).

³ *Ibid.* p. 100, § 16.

⁴ *Ibid.* p. 123, § 10.

⁵ *Ibid.* p. 296, § 51.

aspire. Parliament was in many respects a class-conscious assembly. Some instinct of self-protection against the rising tide of dynastic ambition, combined with a keen sense of the financial importance of the towns, led knights and burgesses to work together in support of, instead of in opposition to, one another's interests.

The burgesses were not, however, indifferent in the matter of choosing representatives to go to parliament. In the large towns great care seems to have been taken to return citizens who had already proved their worth in local politics. The burgesses of Northampton, as we have seen, enacted that their mayor should automatically be returned to parliament,¹ and other towns frequently followed their example. Bath was represented by the mayor (Robert Angre) in 1397,² Bristol by Walter Derby, mayor, in 1382,³ and by William Canynges, mayor, in 1386,⁴ Leicester by Geoffrey Clarke, mayor, in 1391.⁵ The bailiffs of the towns were returned with great frequency.⁶ There is also a noticeable tendency to return very wealthy citizens to parliament, a fact which may partially account for the frequent failure of the members to claim their expenses. The wages of a parliamentary burgess can have been of small account to such a man as William Canynges, the great Bristol merchant,⁷ or to the three Norwich citizens who in 1392 obtained licence to give to the bailiffs of the commonalty three messuages, eighteen shops, forty-two stalls, and 54*s.* of rent.⁸ The generosity of these wealthy members of parliament left its mark on local institutions. They were the benefactors of guilds and the founders of hospitals and chantries all over the country. John Plumptre, member for Nottingham in 1388 and 1399, founded the hospital of the Blessed Mary in his native city.⁹ Gloucester was represented in 1376 by Edward Taverner, master of the hospital of St. Margaret.¹⁰ Walter Frompton and John Stoke, who represented Bristol at different dates in this reign, were the founders of chantries in the churches of St. John and St. Thomas.¹¹ In a few very exceptional cases we even find the same individual repre-

¹ *Supra*, p. 84.

² King and Walts, *Municipal Records of Bath*, app. A, p. ix.

³ *The Little Red Book of Bristol*, i. 110.

⁴ *Ibid.* p. 127.

⁵ *Records of the Borough of Leicester*, ii. 448.

⁶ As at Colchester in 1388 (*Red Book of Colchester*, p. 16) and Dorchester 1305 (*Municipal Records*, p. 91).

⁷ Pryce, *Memorials of the Canynges Family*, pp. 55 and 57. William Canynges was M.P. for Bristol in 1383, 1384, and 1386.

⁸ Hudson and Tingey, ii. 252.

⁹ Stevenson, *Records of the Borough of Nottingham*, i. 249.

¹⁰ *Calendar of Records of the Corporation of Gloucester*, p. 370.

¹¹ *Little Red Book of Bristol*, i. 189, 198.

senting town and county in turn. William Heyberare represented the borough of Gloucester in the first parliament of 1380 and in the parliament of 1389, and the county in the second parliament of 1380, in 1384, 1385, and 1388. He seems to have been a townsman by birth, for he was bailiff of Gloucester in 1377 and 1384,¹ and in 1387 he sued for a licence to give and assign a shop and appurtenances in Gloucester to the prior of St. Bartholomew.² John James, who represented Wallingford in 1376 and Berkshire in the first parliament of 1380, came of a county family,³ and was appointed sheriff of Berkshire and Oxfordshire in the autumn of 1380. The return of a stranger as representative of the town led to a strong protest from the burgesses of Barnstaple in 1385. In answer to a writ ordering the burgesses to defray the expenses of this member, the mayor replied that the complainant was no burgess of theirs and not a Devonshire man, but one who had been intruded upon the town by the sheriffs for the sake of gain.⁴ Membership of parliament was not, of course, final proof of respectability. In the fourteenth as in the twentieth century members of parliament appear occasionally in criminal courts,⁵ but the fact that they do so in no way disproves the anxiety of their constituents to be represented by the best and most sufficient men in the neighbourhood. The frequency with which the same individuals were returned to parliament, and the absence of any recorded protest against this custom, suggest that the burgesses were not wholly unwilling in their attendance at parliament. Richard Wodelond represented Arundel in eight of Richard II's parliaments; John Breton (Bodmin) was returned to nine, Lawrence Acton (Newcastle) to five, Walter Hanlegh (Shaftesbury) to nine, Thomas Gay (Chippenham) to ten. Even although the actual sessions of parliament may have offered less scope to the activities of the burgesses than of the knights, yet there must have been other inducements to attend. The merchants were well accustomed to travel, and the summons to parliament offered an opportunity of communication with important traders of other towns as well as with the Londoners, who were always in the forefront of commercial activity. Moreover, matters which intimately affected those engaged in the wool or other trades were continually being raised in parliament, and, even if only a handful of merchants could hope to be heard in discussion, the business perceptions of the others must have urged them to be present.

¹ *Records of Gloucester*, pp. 362, 365.

² *Ibid.* p. 56.

³ Lysons, *Britannia*, i. 378.

⁴ Chanter and Wainwright, *Barnstaple Records*, ii. 166.

⁵ See, for instances, *Records of the Borough of Nottingham*, i. 277, 279, and Cooper, *Annals of the Borough of Cambridge*, i. 119.

The parliamentary petitions are probably the best guide to the minds of those who presented them. These petitions at least suggest very little co-operation between the towns as a whole. There are only four petitions in this reign which are definitely an appeal from all the English boroughs. Three of these are petitions for the repayment of loans to the Crown;¹ one is a request that the liberties of the borough markets be maintained, and that all property-holders in towns may be bound to contribute to their defence.² There can, however, be little doubt that the burgesses must have initiated the petitions dealing with trade and commerce, and the number of these is sufficient to suggest the presence of an influential body of burgesses among the commons. As is to be expected, the Parliament Rolls abound with petitions concerning the wool trade and cognate matters. Grievances are set forward which include the location of the staple, the rights of alien and native wool-merchants, the standard lengths of cloth, the price of kerseys.³ Twenty-one petitions dealing directly with the wool trade are included in those published with the Parliament Rolls of this reign, and numerous others are to be found in the volumes of unprinted 'Ancient Petitions'. The wine trade claims its share of attention. Petitions are entered concerning the gauging of wines, the sale of sweet and Rhine wines, the insurance charges imposed upon wine merchants.⁴ It must almost certainly have been the trading element among the commons who emphasized the need of reforms in the currency. In 1379 a demand was made for small coins to pay for small measures of bread and ale, which was repeated in 1380.⁵ On another occasion the commons urged the weighing and measurement of money by the mayor of every town.⁶

In addition to these general petitions, we have the petitions of particular towns or groups of towns, some of which have been already noticed. The collaboration of different boroughs to attain a common end is exceptional. We have only three instances of joint petitions in this reign, one from the towns on the Welsh border for protection against the dangers of the March land;⁶ one from some Devon and Somerset towns, protesting against the encroachment of the jurisdiction of the admiralty courts;⁷ and one from towns situate on the Thames, asking for the right of free fishing.⁸ On the whole each town looked to its own interests, and the business of its representatives was to seek the vindication of local rights in parliament. The controversy in

¹ *Rot. Parl.* iii. 62, 96, 255.

² *Ibid.* pp. 247, 250, 254, 268, 272, 281, 294.

³ *Ibid.* pp. 97, 138, 160.

⁴ *Ibid.* p. 45, § 61.

⁷ *Ibid.* p. 322, § 49.

² *Ibid.* p. 20, § 76.

⁵ *Ibid.* p. 66.

⁸ *Ibid.* p. 328, § 14.

Yarmouth and Kirkcudbright concerning the herring-trade was one of the *causes célèbres* of the fourteenth century.¹ Frequent petitions for defence from the French come from Scarborough and the Cinque Ports,² and such small matters as the sale of wood from the parks near Salisbury,³ the necessity of building a wall round Melcombe,⁴ the troubles of the port-reeves of Wareham in their dealings with the exchequer,⁵ are continually before parliament. These facts are difficult to reconcile with Dr. Pollard's view of the apathetic borough, anxious to avoid representation in a national assembly. Burgesses whose one anxiety was to evade the dangers of a journey to Westminster, the responsibility of voting in parliament, and the possibility of high taxation, would hardly have troubled to expound their small local grievances in a parliamentary petition. The *nouveau riche* of the fourteenth century was probably not very different from the wealthy traders of other generations in his desire to omit from his plan of life nothing which might bring him into contact with his social superiors.

The exception to nearly every rule is to be found in London. The circumstances of the Londoners sitting in parliament were, in many respects, peculiar, and cannot be made the basis of generalizations. Yet London played so prominent a part in the history of the reign, and London citizens included so many men of national importance, that it is worth while to attempt a brief review of the parliamentary history of the city in this reign. The city of London was represented in parliament by four members. The custom of allowing a double number of members to the capital seems to have become regular about the middle of the fourteenth century. The *Modus Tenendi Parliamentum* gives the number as two,⁶ and the election of four representatives was described by writ for the first time in 1346. Between 1346 and 1355 sometimes two, sometimes four members were returned; but from 1355 until 1885 the city of London, with the one exception of the parliament of 1371, never returned less than four members to each parliament.⁷ Of these four members two were aldermen and two were commoners of the city. The fact that the aldermen were elected by the aldermen and the commoners by the commonalty of London is recorded for the first time in the election to the parliament of 1378,⁸ and again in the elections of 1379 and 1388.⁹ In February 1383 all four members

¹ *Rot. Parl.* iii. 49, § 80.

² *Ibid.* p. 63, § 37; p. 162, § 46; p. 70, § 5; p. 201, § 24.

³ *Ibid.* p. 254, § 9.

⁴ *Ibid.* p. 70, § 7.

⁵ *Ibid.* p. 255, § 11.

⁶ *Modus Tenendi Parliamentum*, ed. T. D. Hardy, p. 10.

⁷ Sharpe, *London and the Kingdom*, iii. 468.

⁸ *Cal. of Letter-Book II*, p. 98; cf. p. 118, n. 1.

⁹ *Ibid.* pp. 118, 334.

were elected at a common council held in the Guildhall.¹ The records throw no light on the conduct of elections, but probably the mayor and aldermen were in a position to nominate the commoners from whom the citizens were to make their choice.

The members elected received a generous allowance in payment of their expenses, although they had ordinarily to journey only as far as Westminster. The *Modus* informs us that 'in expensis veniendo, morando et redeundo' the citizens of London were placed on an equality with the knights of the shire,² but on one occasion at least in Richard II's reign they received much more generous treatment. The four representatives of London at the Cambridge parliament, which sat for thirty-nine days, received a total wage of £112 7s. 0d.,³ or 14s. 4d. per head per day. A detailed account of how this money was spent has fortunately been preserved, and throws much light on the circumstances in which the representatives of London attended parliament.⁴ The four members of the Cambridge parliament were Adam Bamme, Henry Vanner, William Tonge, and John Clenhond. They seem to have travelled to Cambridge and lodged there in conditions of luxury which a lord might have envied. Special clothing was procured, at the public expense, for them and the servants who accompanied them. They travelled on horseback, carrying with them two pipes of red wine from London, which proved an inadequate supply, for on arrival at Cambridge a further purchase was made, amounting to a total expenditure of £9 2s. A house was procured for their lodging which seems to have been refurnished and partially rebuilt for the occasion. Carpenters were employed to tile and thatch the house, to make stools and forms, and to remove rubbish; table and bed linen, cushions, tapestry, hall and kitchen utensils were procured. Special pewter vessels were purchased by the chamberlain of the Guildhall, and the city paid, without protest, not only for their laundry, but also for the recreation of the members. 'Gifts to the minstrels of the King and other lords' are included among the expenses. It is not surprising to discover that the city experienced difficulties in the payment of these wages. An entry in the Letter-Book H seems to suggest that, when Richard II came to the throne, the expenses were habitually met by a tax on victuals. In November 1378 the common council elected a committee to consider the best means of carrying out certain measures, including the payment of those elected to the Gloucester parliament.⁵ As a result of their deliberations the committee agreed that an inquiry should be made as to some better method of

¹ *Ibid.* p. 211.

² *Cal. of Letter-Book H*, p. 346.

³ *Cal. of Letter-Book H*, p. 108.

⁴ *Modus Tenendi Parliamentum*, p. 13.

⁵ Riley, *Mcmorials*, pp. 511, 512.

raising money to defray the city's expenses than a tax on victuals sold in the city.¹ The inquiry evidently failed to solve the problem. When the elections to the Cambridge parliament had been made the chamberlain confessed that he had nothing in hand to pay their expenses, and those present were obliged to agree that they should be defrayed out of the revenue coming to the Guildhall.²

The names of the members returned are complete for every parliament in the region except those of May 1382 and January 1393.³ Fifty different individuals represented London in the parliaments of this reign, nearly all of them being men of considerable local importance. Twelve of them held the office of mayor in this period, twenty-six were sheriffs, and all except ten were aldermen, either before or after their election to parliament. Many different trades were represented by those returned. Nine belonged to the Mercers' Guild, six to the Fishmongers, five to the Grocers, and five to the Vintners. Three drapers, three goldsmiths, and three merchants were among them. The less important trades, such as the Shethers, the Pelters, and the Spicers, were represented in smaller proportions. Like the magnates of other cities these London members of parliament were both wealthy and generous. Thomas Carleton (1382) left money for the maintenance of a chantry in the chapel of St. John the Baptist, within the North Gate of St. Paul's, as well as bequests to churches in Chepe and Wood Street ;⁴ John Philipot left the reversion of certain lands and tenements to the mayor, aldermen, and commonalty of the city of London for the making of conduits ;⁵ John Clenhond (1388) left tenements to be sold at the discretion of the mayor and aldermen for the repair of London Bridge, London Wall, and the College of Guildhall ;⁶ John Shadworth (1388, 1389) left £20 sterling to the Common Box of the Art of Mercers and a similar sum to the use and fabric of the Guildhall.⁷ The wills of these and other parliamentary representatives of London speak eloquently of the civic pride which some of their fellow-countrymen regarded as a vice.⁸

The names of the city's representatives in parliament include several of more than local importance. John Philipot, who sat in parliament in 1377, 1380, 1381, and 1383, was a well-known financier, the leader of the London loyalists, and one of the most popular men in the kingdom.⁹ In 1378 he fitted out an expedition against the pirates at his own expense,¹⁰ and was, three years

¹ *Cal. of Letter-Book H*, p. 116.

² *Ibid.* p. 334.

³ For the most accurate list see Sharpe, vol. iii, app. B.

⁴ *Cal. of Wills in the Court of Hustings*, ed. R. R. Sharpe, pt. ii, p. 272.

⁵ *Ibid.* p. 276.

⁶ *Ibid.* p. 301.

⁷ *Ibid.* p. 452.

⁸ *Historia Anglicana*, ii. 208.

⁹ *Ibid.* i. 329, 343, 370.

¹⁰ *Ibid.* p. 370.

later, rewarded for his services by a knighthood.¹ John of Northampton, his rival, was a supporter of the duke of Lancaster, suspected of Lollardy, and an eager reformer of the morals of his fellow-citizens.² William Walworth owes his fame to the fact that it was he who gave Wat Tyler his death-blow at Smithfield, but he was also a financier of repute.³ Yet it is remarkable that the trend of national and civic politics is not more clearly reflected in the parliamentary returns. In the parliament of 1378, which met at Gloucester under the undisguised influence of the duke of Lancaster,⁴ London was represented, not only by John of Northampton, a supporter of the duke, but also by John Hadle and William Venour, both grocers and members of the opposite party, which was headed by Nicholas Brembre. In 1381, when Northampton was mayor, his rival, John Philipot, was returned to parliament. In February 1383, Northampton still being mayor, his greatest enemy Nicholas Brembre was elected, together with John More and Richard Norbury, who were Northampton's two chief allies.⁵ These facts suggest that the attitude of the Londoners to parliament was apathetic. It was only when attempts were made, as in 1378 and 1380, to hold parliament away from London that their interest was aroused.⁶ Such an attitude was natural enough. Larger questions of national policy paled before the more absorbing interest of local faction. Yet the removal of parliament to the provinces could not be viewed with indifference, since it affected both the pride and the pocket of the Londoner.

The petitions suggest, moreover, that when necessity arose the Londoners did not hesitate to bring their local grievances, large and small, before parliament. It was in parliament that the condemnation of Brembre and Uske was secured, and in the petitions we may see reflected some of the vicissitudes of city politics. In 1382, when Northampton and the non-victuallers were in power, petitions were enrolled for restrictions on the sale of fish;⁷ and again in 1390 and 1391 the Londoners prayed for the reversal of the judgement against John of Northampton and his accomplices.⁸ But on the whole the petitions are concerned with smaller and more personal matters. The citizens ask that London butchers may be compelled to confine the slaughter of their beasts to the district of Knightsbridge (1380);⁹ that they may be free to elect their own coroner (1377);¹⁰ that various

¹ Knighton, ii. 138.

² *Cal. of Letter-Book H*, p. 189.

³ *Historia Anglicana*, i. 343; Sharpe, i. 202.

⁴ *Ibid.* 380.

⁵ *Cal. of Letter-Book H*, pp. 265, 279; *Rot. Parl.* iii. 291, §§ 34, 35.

⁶ *Cal. of Letter-Book H*, pp. 124, 125; *Historia Anglicana*, i. 449.

⁷ *Rot. Parl.* iii. 141, § 54.

⁸ *Ibid.* p. 282, § 36; p. 291, §§ 33, 34, 35.

⁹ *Ibid.* p. 87, § 49.

¹⁰ *Ibid.* p. 19, § 72.

abuses in connexion with judicial inquests, London orphans, Newgate prisoners, and others may receive consideration (1377).¹ In 1393 the London clergy petitioned against the annexation of their benefices by the mayor,² and the same year the widows of London prayed for exemption from taxes and imposts.³ Although we have very scant record of the part played by the London representatives in the public business of the house, yet the affairs of the city were continually before parliament.

Apart from the obvious explanation of the geographical proximity of London to Westminster the Parliament Rolls suggest another fact which may account both for the indifference of the Londoners in their choice of representatives, and for the predominance of London affairs in the parliamentary petitions. On one occasion at least there were a considerable number of important Londoners present in parliament in addition to the elected representatives. The occasion was that to which reference has already been made when the expedition of the king in person to France was under discussion. The knights prayed the lords that as it was obvious that for such an expedition the chief support must come from the merchants, 'the merchants now present in parliament should bear the charge in particular'. A committee was nominated which included the following Londoners: John Philipot, Nicholas Brembre, John Hadle, Hugh Fastolf, John Organ, William More, William Venour, and William Grevell.⁴ The returns for this parliament (May 1382) are not preserved, but even supposing that four of the above-named were elected representatives of the city there remained four whose presence can only be accounted for by the supposition that the great London merchants were in the habit of attending parliament without a summons. It is suggestive of the same conclusion that neither Walworth nor Philipot were members of the parliament (1379) which appointed them to scrutinize the king's household,⁵ and that we have record of a quarrel in parliament between representatives of the different London trades.⁶

London is an exception, though it is not an exception which can be held to prove any rule. Our knowledge of the parliamentary history of medieval boroughs has not, indeed, reached the stage of clear definition. The conclusions suggested are little more than indications of a possible scheme of future study. These conclusions may be briefly summarized. The writs *de expensis* probably do not represent the number of burgesses present in parliament, since there are indications that the bur-

¹ *Rot. Parl.* iii. 27, § 126.

² *Ibid.* p. 325, § 5.

³ *Ibid.* p. 73, § 15.

⁴ *Ibid.* p. 325, § 4.

⁵ *Ibid.* p. 123, § 10.

⁶ *Ibid.* p. 143, § 62 sq.

gesses not claiming writs could obtain payment at a higher rate. The presentation of petitions from boroughs not obtaining writs, and proof, in two instances, of the presence in parliament of representatives of such boroughs, lead us to believe that the writs cannot be made the basis of an estimate of the number of boroughs in parliament. Further, the fear of heavy taxation cannot have been a cause of the unpopularity of parliamentary representation, since the assessment of 1334 was the basis of all taxation in Richard II's reign. There are only three claims for exemption from representation in this reign, and the Parliament Rolls suggest the presence of the burgesses in sufficient number to be regarded as a separate estate. Great care was taken by the boroughs to send the most worthy burgesses to parliament, and the same individuals were very frequently returned. A large number of the parliamentary petitions deal with the affairs of the towns, suggesting a close connexion between the towns and parliament in its judicial capacity. The records already available lead us to suppose that it is upon some such lines as these that the history of medieval English boroughs in parliament may be written.

MAY MCKISACK.

The Anglo-Dutch Alliance of 1678

PART II

AFTER failing to separate Charles II and his nephew by a subsidiary agreement with the former, Louis XIV started an attempt to bring about peace, which was ultimately to succeed. The general situation in the Netherlands was such as to encourage this step even had it not been actually invited by the Amsterdam peace party. Frightened by the French capture of Ghent, the magistrates of that city resolved upon peace if it might still be had on the terms which Louis had stated early in January in reply to Montagu. Van den Bosch, a correspondent of Estrades (the chief French plenipotentiary at Nymwegen), was present and immediately wrote to his employer, asking if those terms were still obtainable. The reply encouraged negotiations with responsible parties on that basis, but stated that France must retain recently captured towns. Van den Bosch had to reply (25 March) that his Amsterdam friends were not ready to surrender Ghent and Ypres;¹ nevertheless, since it was evident that they were putting great pressure upon Orange to make peace,² Louis wisely judged the moment propitious for crystallizing this desire into a potent force by making a new peace proposal. On 15 April Estrades announced that France was willing to surrender to Spain Ghent, Oudenarde, Courtrai, Ath, and Charleroi, but must retain Condé, Valenciennes, and—most important of all—Ypres. This was not to be regarded merely as a basis for negotiations but as a final concession, with 10 May as the time limit for its acceptance.³

¹ For this negotiation see Mignet, *op. cit.* iv. 548. Regarding Estrades's use of van den Bosch and other agents in various parts of the Netherlands (e.g. Daguerre at Leyden), see *ibid.* pp. 604–5; Temple, *op. cit.* iv. 363–4; Archives des Affaires Étrangères, Hollande, 106, fos. 154, 183, *et passim*, for much unsigned correspondence from them.

² But Estrades thought that this would influence Orange less than a single word from the English king. See his letter of 15 April to Pomponne, in *ibid.* fo. 183.

³ Louis to Estrades, &c., 9 April, in *ibid.* fos. 167–72 (mostly printed in Mignet, *op. cit.* iv. 550–6). See also Lavissee, *op. cit.* vii, pt. ii, 340–1; Moetjens, *Actes et Mémoires de la Puiz de Nimègue* [Amsterdam, 1678–80], ii. 396–400; Basnage, *Annales des Provinces-Unies* [The Hague, 1719–26], ii. 914–15; Flissan, *Histoire Générale et Raisonnée de la Diplomatie Française* [Paris, 1811], iii. 435–6; Lonchay, *op. cit.*

Dutch officials received the proposal with neither enthusiasm nor repugnance ; but it was soon being discussed in every town with an effect which reduced to impotence the war party of William and Fagel, and discouraged Holland's more bellicose allies. England was just then directing all efforts to completing the quadruple alliance. Whether or not Danby and the king expected that alliance to result in actual war, they were intent upon having it signed. It would improve England's position, and would undoubtedly tend to dissipate Louis's seeming indifference towards Charles's demand for a large subsidy in return for neutrality. It was therefore with thorough disgust that Charles beheld the Dutch welcoming and discussing peace terms, instead of empowering their ambassador to negotiate a military alliance ;¹ and English injunctions to think only of war fell on the deaf ears of war-weary people.²

In general the French terms had a certain fairness, were very tactfully phrased, and unquestionably timely. But a clause demanding the restitution of Sweden to her old boundaries called forth general opposition and condemnation. Sweden had entered the war on the side of France in 1674, but had not shared French successes during the following years. Instead, her army had been decisively defeated by the Great Elector at the battle of Fehrbellin (June 1675), which shattered Swedish military prestige for a quarter of a century and changed the front of northern Europe. By 1678 Sweden had been dispossessed of Bremen and Pomerania, and was in no position to regain them except with the help of France, of which she began to despair. Olivekrans and Oxenstierna, the Swedish plenipotentiaries at Nymwegen, displayed increasing coldness towards the French representatives,³ whose suspicions reached a climax when in March 1678 Olivekrans went to London and Oxenstierna to The Hague.⁴ Estrades judged both missions distinctly against French interests ;⁵ and during the four months that Olivekrans remained in England Barrillon watched him closely, fearing that

pp. 285-7. French withdrawal from Sicily shortly before furthered belief in the sincerity of Louis's proposal.

¹ Williamson to Hyde, 19/29 April, in Brit. Mus., Add. MS. 10115, fo. 298.

² e. g. see instructions to Hyde and Godolphin, 26 April, *ibid.* fos. 275-80, and in Bodleian, Rawlinson MSS., A. 255, fos. 248-51.

³ Archives des Affaires Étrangères, Hollande, 106, fos. 87, 106 ; *ibid.* Suède, 57, fos. 230, 241. Cf. Carlson, *Geschichte Schwedens*, iv. 705. For Olivekrans, see *Nordisk Familjebok*.

⁴ Archives des Affaires Étrangères, Hollande, 106, fo. 128. Olivekrans's ostensible business was to renew a treaty of commerce, but he also seems to have suggested the marriage of the Princess Anne and the young king of Sweden, which was undoubtedly expected to serve as the opening wedge of a renewal of the Triple Alliance of England, Holland, and Sweden (*ibid.* fo. 31).

⁵ Letter to Pomponne, 29 March, *ibid.* fo. 153 ; cf. fo. 143.

the English and Dutch would succeed in separating Sweden from France.¹ Louis's inclusion of Sweden in the terms was thus a diplomatic move to encourage her allegiance.² All realized the great injustice which the fulfilment of the clause would work to the Great Elector;³ and on 21 April the allied representatives at The Hague met, disapproved of the French terms, and endeavoured strenuously to persuade the Dutch not to accept.⁴ But except for the Swedish clause, most of the provinces discussed the proposal favourably, while Amsterdam and several other northern towns showed a spirit of acceptance which would not be restrained even by a clause unjust to allies.⁵ When the states general met on 27 April the pensionary of Leyden swayed the assembly in a speech depicting the miseries of the people owing to the war; and there seemed to be a solid northern *bloc* for peace on the French terms.⁶ Orange arrived two days later (in company with Churchill, who was making a pitiful effort to arrange military co-operation between the English and Dutch), but his presence could not turn the tide, despite a special conference with deputies from Amsterdam and Leyden.⁷ Nevertheless, when it came to a vote on making a separate peace without the consent of their allies, few would sanction it, and finally only Amsterdam.⁸ It would take time to consult England and Spain, the latter especially, since the Spanish frontier was primarily affected by the terms. In a secret session of 3 May, therefore, the Dutch voted to ask France for an extension of time;⁹ and Louis XIV, assured soon that they were sincere and actually desired the time for necessary negotiations with their allies and not for war preparations, extended the time limit to 15 May, later to the 20th, and finally to the 27th.

¹ Archives des Affaires Étrangères, Hollande, 106, fos. 190, 192; *ibid.* Angleterre, 128, fos. 223, 288. See also 'Les principaux points dont Messieurs les Ambassadeurs de France accusent Messieurs les Ambassadeurs de Suède', *ibid.* Suède, 57, fos. 249-54.

² Lavissee, *op. cit.* vii, pt. ii, 342.

³ Meredith's letters to Jenkins, 20, 21, 22, and 26 April, in Public Record Office, State Papers, For., Holland, 206, fos. 118, 123, 129, 134. It seems, however, that the clause was not wholly unanticipated (Archives des Affaires Étrangères, Hollande, 106, fo. 46).

⁴ Public Record Office, State Papers, For., Holland, 206, fo. 129. Louis had, moreover, implied in his statement of the terms that England had encouraged him to expect the fulfilment of the Swedish clause. This Williamson vigorously denied. See instructions to Hyde and Godolphin, 16/26 April, in Brit. Mus., Add. MS. 10115, fos. 275-80.

⁵ Letters of van den Bosch and Daguerre, 26 and 28 April, cited in Mignet, iv. 559. Cf. Basnage, ii. 916.

⁶ Meredith's letter, 28 April, in Public Record Office, State Papers, For., Holland, 206, fo. 142.

⁷ Meredith's letter, 30 April, in Public Record Office, State Papers, For., Holland, 206, fo. 151; letter from The Hague, 2 May, in Archives des Affaires Étrangères, Hollande, 105, fo. 297. Basnage, ii. 916, gives the arguments at length.

⁸ Hyde to Danby, 3 May, in *Hist. MSS. Comm., Ninth Report*, pt. ii, p. 455.

⁹ Public Record Office, State Papers, For., Holland, 206, fo. 157.

Leeuwen, a prominent official of Leyden, representing a middle party between the Orangists and the Amsterdam peace group, left Holland on 5 May as special envoy to the English court to convince Charles that the Dutch could continue the war no longer, and that England had better forget the quadruple alliance and assist in negotiating the best peace possible on the basis of the French terms.¹ The committee for foreign affairs sought to persuade him to urge the continuation of the war, but in vain.² Beuningen, long desirous of just such support direct from The Hague to end his embarrassment, came out squarely for peace, declared he took orders from the states general only and not from the prince of Orange, and 'parôit [to Barrillon] beaucoup plus fier qu'à son ordinaire et parle avec beaucoup de hauteur'.³ It was a pardonable reaction after his deep embarrassment of the preceding weeks. Meanwhile Boreel and Dyckvelt were pressing Villa Hermosa to accept peace, but without success until a Dutch threat to act alone, together with disturbing news from Madrid, brought the desired consent.⁴ Louis XIV had been playing a tactful game to win over the Dutch, knowing that their defection from the alliance would ultimately wreck it. He held to his original time limit of 10 May, and even made all preparations to move his army on that date,⁵ until the Dutch vote to send deputies to England and Spain assured him of their sincerity. Then on 13 May the Dutch voted to accept the French terms if their allies agreed, and Louis again extended the time.⁶ Finally, on 18 May, he wrote from St.-Denis that if the Dutch made peace he would not carry the war further

¹ He did not supersede Beuningen, but co-operated with him; and nearly all the Dutch correspondence from England from 10 May to 8 July (Brit. Mus., Add. MS. 17677 SSS, fos. 99-178) is signed by both men. See also Public Record Office, State Papers, For., Holland, 206, fos. 159, 161, 167; Archives des Affaires Étrangères, Angleterre, 129, fo. 47 (Barrillon to Louis, 9 May); Mignet, iv. 603; C. Huygens, p. 252.

Charles II's support was sought by both sides. The Dutch begged him to intercede with France for an extension of the time (Brit. Mus., Add. MSS. 28040, fo. 57; Public Record Office, For. Entry Books, 180, date 23 April [o.s.]; Mignet, iv. 559-61); and Louis asked him to support the terms and bring pressure on Spain and the Netherlands to accept them. He even offered to make slight concessions to gain English support (Louis to Barrillon, 11 April, cited in *ibid.* p. 557).

² Public Record Office, For. Entry Books, 180, date 3/13 May (five pages of interesting dialogue). Cf. *Lords' Journals*, xiii. 214; *Hist. MSS. Comm., Tenth Report*, app., pt. vi, p. 185; Brit. Mus., Add. MS. 17677 SSS, fos. 99-107.

³ Archives des Affaires Étrangères, Angleterre, 129, fo. 43.

⁴ The memoirs of Boreel and Dyckvelt, together with the duke's replies, are to be found in *Recueil des Mémoires des deputez de Messieurs les États Généraux des Provinces Unies présentés à Monsieur le Duc de Villa Hermosa, Comte de Luna, touchant la Paix avec Responces d'iceluy* [Cologne, 1678], pp. 1-19; Moetjens, ii. 425-35; Public Record Office, State Papers, For., Holland, 206, fos. 169-230 (copies); and partially in Basnage, ii. 917-19. Cf. Archives des Affaires Étrangères, Angleterre, 129, fos. 54-5; Huygens, p. 254.

⁵ Public Record Office, State Papers, For., Holland, 206, fos. 225, 227.

⁶ *Ibid.* fo. 177.

in the Spanish Netherlands, and he would give Spain the same terms whenever she was ready to accept. He also yielded a minor point, explained several others, and promised to remain near Ghent until 27 May to receive deputies from the states.¹

The Dutch were unable to resist further. Orange hurried from his country house to the Hague to oppose sending a mission to Louis; and although he was supported by the nobles and several important towns, the peace party, led by deputies from Amsterdam, was in the majority.² The prince's opposition weakened upon the receipt of letters from England, urging him to make peace;³ and the representatives of the allies gave unwilling consent to the mission after receiving assurance that only a six-weeks' truce and not peace would be discussed.⁴ Beverning, the chief of the Dutch delegation at Nymwegen, was selected for the diplomatic task (25 May). At first he refused, pleading an indisposition, because he thought that the prince was still opposed.⁵ The states thereupon ordered him to go 'notwithstanding his indisposition'—which they correctly judged to be of only diplomatic sort—and assurance of Orange's consent soon removed its cause. On 1 June Beverning met Louis in the French camp at Wetteren, declared Dutch satisfaction with the terms if the allies could be won over, and in a five-hour session they agreed on the terms of a six-weeks' truce. The best, though by no means unanimous, opinion holds that he promised to make peace within six weeks even if the allies refused.⁶ His return to The Hague was heralded like the dawn of an already accomplished peace.⁷ Meanwhile, a third memoir (27 May) to

¹ Printed in Mignet, iv. 563–5. Cf. Basnage, ii. 919.

² Public Record Office, State Papers, For., Holland, 206, fos. 208, 217, 221–2. Cf. Mignet, *op. cit.* iv. 565–6; Basnage, *op. cit.* ii. 920.

³ Danby to Orange, 17/27 May (*Cal. of State Papers, Dom.*, 1678, p. 177), and Williamson to Orange, 21/31 May, 'by the King's particular command' (Brit. Mus., Add. MS. 10115, fo. 312). William was admonished to keep the latter letter 'as a secret of the greatest consequence, and never to appear to have come in any sort from his Majesty for the reason his Highness will easily judge'.

⁴ Blaspiel, the minister of Brandenburg, only concurred after a hasty conference with Orange. For his views see Pufendorf, *De Rebus Gestis Friderici Wilhelmi* [1695], p. 1200. See also the emperor's letter to the states general, 28 May, in *Hist. MSS. Comm.*, *Seventh Report*, p. 470.

⁵ He favoured peace on the French terms on grounds of necessity, but not a separate peace. See Mignet, iv. 562; and Basnage, ii. 912.

⁶ The most authoritative study is J. A. Wijnne, 'De Wording van den Vrede van Nymwegen' in *Tijdspiegel*, May and June 1881, based chiefly upon the report made by Beverning, Haren, and William of Nassau (Dutch plenipotentiaries) on 19 October 1679. The article is reviewed by its author in *Revue Historique*, xx. 395–6. His view conforms to that expressed by Ranke (*Histoire de France*, v. 69), which had previously been judged incorrect. Cf. Mignet, iv. 583; Basnage, ii. 921–2; and newsletters from The Hague, 3 and 4 June, in *Archives des Affaires Étrangères*, Hollande, 105, fo. 331.

⁷ Mignet, iv. 583; Public Record Office, State Papers, For., Holland, 206, fos. 235, 253.

the Spanish governor brought his consent (3 June) to the actual peace terms, and in a wholly different vein from his previous replies. News from Spain had informed him that the new government of Don Juan, after having promised to carry on the war, had decided upon peace, and had so instructed its plenipotentiaries at Nymwegen.¹ Brandenburg, Denmark, Lorraine, and the Empire continued their opposition and dissuasion, but to no avail.² It was now generally known that Charles and Louis had come to some private agreement.³ The Dutch hesitated long before making a separate peace, but finally on 22 June they instructed their representatives at Nymwegen to sign by the end of the month with whatever allies were so disposed.⁴

Long before—in fact as soon as it was clear that the Dutch would accept the French terms—Charles II had made peace with Louis XIV. Except for mere incendiaries the chief English promoters of war were Danby and York. Antipathy to France was the corner-stone of a long-sustained policy on the part of Danby, while York had a family interest in the house of Orange, some military ambitions, and at times a desire to moderate the anti-catholic zeal of parliament by supporting the protestant cause on the Continent. As for the king, there is no good reason to believe that he at any time desired to go to war, or to prepare for it, except in order to mollify rebellious subjects, secure an army for domestic emergencies, and invite large French subsidies as the price of his neutrality. There had been much to try the patience of those who desired war. The quarrel over Ostend left hard feelings between England and Spain; the Dutch rejected the defensive alliance and the English plan of naval concert; the support of parliament was questionable; and the war was going strongly in favour of France. As a result of this untoward situation Charles had tried to resume good relations with Louis

¹ Martin, *History of France*, vii. 465; Ranke, *op. cit.* v. 70. Maréchal de Navailles's capture of Puigcerda and Duquesne's burning of three Spanish ships in the harbour of Barcelona hastened Don Juan's decision (Gamazo, *Carlos II y su corte* [Madrid, 1915], ii. 432; Dunlop, *Memoirs of Spain during the reigns of Philip IV and Charles II*, ii. 130).

² Mignet, iv. 589; Basnage, ii. 922–3; *Hist. MSS. Comm.*, *Seventh Report*, p. 470 (the emperor to the states general, 28 May). About 27 June Brandenburg yielded and asked to be included in the treaty, but by that time the renewed French demand for Swedish restitution had destroyed all hopes of peace (Public Record Office, *State Papers, For.*, Holland, 206, fos. 281, 285, 288).

³ Ruvigny's two trips to Paris gave rise to suspicions which gradually rose to certainty (Barrillon's letters, Archives des Affaires Étrangères, Angleterre, 129, fos. 176, 226–7). Hyde and Ossory returned from The Hague on 23 June, 'the use of publick ministers abroad growinge lesse necessary every day', as Henry Savile thought (*Hist. MSS. Comm.*, *Bath MSS.*, ii. 162; cf. Archives des Affaires Étrangères, Angleterre, 129, fo. 257).

⁴ The States General to Louis XIV, 22 June, printed in Basnage, ii. 923. Cf. Mignet, iv. 585; and Lavissee, vii. ii. 342.

early in April on a subsidy basis. But the French king did not deem such an expense necessary at that time, and the reception given to his new peace terms soon showed Charles the danger of a great depreciation in the value of English neutrality. During the month of April the latter therefore sought to appear very bellicose and ardent for an alliance of the enemies of France which would bind them not to treat separately. They must be kept in the war until he had secured a good price for his neutrality. But therein lies only a part of the truth. Danby, York, Monmouth, and many others really wanted war; and Charles would accept it as a last resort. It is noteworthy that he treated with France in May only after receiving assurance that the Dutch would fight no longer. That assurance came with Leeuwen on 9 May, after having been foreshadowed for weeks by the Dutch refusal to empower Beuningen. Within three days Ruvigny was bearing to France a peace-and-subsidy project, drafted by the king and Barrillon.¹ Therein Charles agreed to the French terms, offered to use his influence upon the allies in favour of peace, and promised to desert them and maintain neutrality if they did not make peace within two months. As compensation he was to receive 6,000,000 *livres tournois* annually for three years, the first year to begin 1 January 1678, and the first semi-annual instalment to be paid within one month of the signing of the treaty.²

No official suggestion favouring peace was made to the allies until Ruvigny's return on 19 May. On the other hand, Leeuwen and Beuningen were still urged to continue the war so that no blame for refusing to fight should rest on England.³ Meanwhile, those keenest for war had reason to make a considerable change in their opinions in Ruvigny's absence. Danby and York had already borne much from parliament. Bribed by Barrillon it had opposed war grants to embarrass the former, and had proposed anti-catholic measures to disquiet the latter. At times Danby knew

¹ 'Projet de traité entre Louis XIV et Charles II, 12 Mai 1678', in Archives des Affaires Étrangères, Angleterre, 129, fos. 78-80. But this does not contain the separate financial article. It is, however, referred to in the 'projet', and fully explained in the accompanying letter (*ibid.* fos. 67-74).

² *Ibid.*; also Barrillon to Pomponne, 12 May, *ibid.* fo. 82. The former letter is summarized in Mignet, iv. 572-4. Nothing had been said about subsidies since 4 April, but Barrillon had sought continually to persuade Charles against war while the Dutch were discussing peace (e. g. Archives des Affaires Étrangères, Angleterre, 129, fo. 37). Moreover, nothing was said about parliament in Ruvigny's draft, but it was taken for granted that the session would be prorogued at once if peace were made (*ibid.* fo. 74).

³ In addition to their correspondence (Brit. Mus., Add. MS. 17677 SSS, fos. 97-178), see their special memoirs of 23 May, and 8 June, in Public Record Office, State Papers, For., Holland, 206, fos. 204, 261. As late as 20 May the states of Holland were debating prohibition of French goods and similar questions at England's behest (L. Hyde to Clarendon, in Singer, i. 16).

not whether war or peace would best serve to prevent his fall. At any rate, as the weeks passed parliament showed itself to be everything that a war legislature should not be: close of purse, over-critical of alliances, fearful of military power in the hands of the king, and inclined to attack royal ministers more than France. All these tendencies came to a head in the last important session of the parliament, 9-23 May.¹ Financially the situation was becoming desperate. Danby's ingenuity had been unable to assure money by loan or levy for payment of the troops.² Either parliament must vote money or peace must be made on a subsidy basis. Successive prorogations of the parliament for weeks, owing to the king's desire to be able to display the phantom quadruple alliance, had only increased the exasperation of many of the members. Barrillon's machine was still working adequately, and although he urged the king not to call the session he was fairly at ease regarding the outcome.³ He had good reason. After hearing the king's speech the commons at once demanded a sight of the offensive alliance with the states and criticized it mercilessly. They next went off on religious tangents and made redress of grievances a prerequisite to further grants of money. They attacked Danby and Lauderdale and accused the king of planning a *coup d'état* on ministerial advice. They objected to the maintenance of an army without a war, but would vote no money for disbandment. It is not surprising that even two days before Ruvigny returned York advised Orange to make peace (17 May).⁴

Charles's anxiety increased daily during Ruvigny's absence,⁵ and not without justification. The Dutch resolutions of 13 May seemed to put peace in French hands without purchasing English support. Undoubtedly as a result of this Louis ordered Barrillon two days later to withdraw the old subsidy offer (of April), which was still open.⁶ But Ruvigny's arrival on 17 May led him to reconsider and to accept Charles's plan without substantial alteration except as to the subsidy.⁷ He would promise 6,000,000 *livres tournois* for one year only, and that year was to begin

¹ *Commons' Journals*, ix. 464-93; *Lords' Journals*, xiii. 205-20; Grey, v. 276-390.

² Archives des Affaires Étrangères, Angleterre, 128, fo. 267; 129, fo. 52.

³ Letters of 2 and 9 May, *ibid.* fos. 30-2, 49-59.

⁴ 'There will be no possibility of carrying on the war, now that the factious party in the House of Commons does prevail. It is necessary for me to say this to you, that you may take your measures accordingly, and you must expect to hear of great disorders here; they are not to be avoided' (*Cal. of State Papers, Dom., 1678*, p. 161). On 24 May York wrote: 'It will be all we can do to keep things quiet at home' (*ibid.* pp. 172-3).

⁵ Archives des Affaires Étrangères, Angleterre, 129, fos. 107-8.

⁶ Mignet, iv. 575 (Louis to Barrillon, 15 May).

⁷ *Ibid.* pp. 575-6 (Louis to Barrillon, 17 May).

with the signing of the treaty and not five months before, as Charles had asked that it should. As to subsidies for the second and third years he encouragingly suggested later arrangements. Barrillon and Ruvigny had stated that, in their opinion, this change would be acceptable because immediate funds were the prime necessity.

Ruvigny returned on 19 May. Danby, ill at the time, was unusually open to peace negotiations; for parliament was just then petitioning the king for his removal.¹ But while he and York were both in favour of peace (since war was out of the question, given such a parliament),² they carefully guarded the king's honour in the phrasing of the treaty.³ Louis had demanded that all English troops, except 3,000 at Ostend, were to be disbanded at once.⁴ While admitting that it would be done Charles objected, nevertheless, to having this dictated by France in the treaty. For the same reason he took exception to the clause ordering the prorogation of parliament. Furthermore, mere hopes instead of signed promises of late subsidies did not at first suffice. The king dined with Leeuwen on the 21st and seemed less inclined to peace.⁵ But it was mere bluff; for on the same day he advised Orange to accept the French terms.⁶ The Dutch were welcoming Louis's letter of 18 May; peace seemed certain; and on 23 May Charles told Danby to conclude the treaty immediately on the basis of the one-year subsidy if the objectionable clauses relating to disbandment and prorogation were omitted from the written document.⁷ The treasurer, now improved in health, stood staunchly for these alterations, and also demanded the alteration of the preamble in order to give the impression that the Netherlands forced England to make peace, and not vice versa, as Louis's version had implied. Barrillon at once sent a courier to Paris, and permission was granted for these changes;⁸ but it arrived only after he had signed the altered treaty on his own responsibility. A final conference

¹ Grey, v. 361 f.; *Commons' Journals*, ix. 479; *Hatton Corresp.*, i. 160; *Cal. of State Papers, Dom.*, 1678, p. 168 (York to Orange, 10/20 May).

² See York's letters to Orange, 14/24 and 21/31 May, *ibid.* pp. 172-3, 182-3, 187.

³ Barrillon to Louis, 21 May, in *Archives des Affaires Étrangères, Angleterre*, 129, fos. 117-21. Cf. Mignet, iv. 576.

⁴ But Charles admitted that he had as yet no treaty with Spain in regard to this garrison (*Archives des Affaires Étrangères, Angleterre*, 129, fo. 73; cf. Gamazo, ii. 425-6).

⁵ Barrillon to Louis, 22 May, in *Archives des Affaires Étrangères, Angleterre*, 129, fo. 126.

⁶ Williamson's letter in *Brit. Mus., Add. MS.* 10115, fo. 312.

⁷ *Archives des Affaires Étrangères, Angleterre*, 129, fo. 135.

⁸ Louis to Barrillon, 25 May, in *Archives des Affaires Étrangères, Angleterre*, 129, fos. 150-1. The letter arrived the day after the signing of the treaty.

with Danby, lasting from four until midnight on 25 May, had settled all differences.¹

Danby had now negotiated the treaty, but he would not sign it, nor would Lauderdale. As in 1676 those two ministers refused to sign a document which might some day be produced against them in a trial for treason.² Charles thereupon suggested to Barrillon that he should ask Sir William Temple to sign it. Considering this noted diplomatist's past relations to Holland and France, it is hard to consider this as other than one of Charles's little jokes. Barrillon found Temple in bed, afflicted with a serious diplomatic indisposition and unable to assist.³ Next, Charles suggested that Williamson might sign the treaty; but Barrillon was tired of canvassing the privy council for a brave man. 'Les manières de ce pays ici ne ressemblent point du tout à celles des autres,' he informed Louis a few days later.⁴ But the difficulty was not insurmountable, for Louis was already accustomed since February 1676 to accept the king's signature as sufficient.⁵ On 27 May the treaty was signed by Charles and Barrillon, and Ruvigny bore it at once to Paris.⁶ A secret article, signed only by Barrillon, promised Charles 6,000,000 *livres tournois* in five payments within a year, conditional upon a very strict execution of the clauses relating to disbandment and the prorogation of parliament for six months to come.⁷ Barrillon admitted himself embarrassed as to whether a treaty signed

¹ Barrillon to Louis, 25 May, *ibid.* fos. 152-3. The wording of the preamble constituted the chief trouble of this last day: 'les moindres paroles font des difficultés.' It finally contained the desired phrase: 'ayant été requis depuis peu et sollicité fortement par les États-Généraux d'employer ses offices,' &c.

² Danby excused himself on a curious pretext: 'son peu d'expérience dans les affaires de cette nature' (*ibid.* fo. 162).

³ Mignet, iv. 577-8; Temple, ii. 435-6.

⁴ Barrillon to Louis, 28 May, in Archives des Affaires Étrangères, Angleterre, 129, fo. 176.

⁵ Early in the negotiations Barrillon had warned Louis on this point. 'Le Roi d'Angleterre lui-même signera le traité si on peut convenir de toutes les conditions, aucun de ses sujets n'étant assez hardi pour oser le faire' (Barrillon's letter of 12 May in *ibid.* fos. 67-74).

⁶ For the treaty see *ibid.* fos. 164-73 (printed in Mignet, iv. 578-81). Cf. *Hist. MSS. Comm., First Report*, p. 33. The Public Record Office yields no copy, which is easily explained since it was never ratified, and was merely a personal agreement on the part of Charles II, who would soon have many reasons for destroying it. Charles's letter, accompanying the treaty (Archives des Affaires Étrangères, Angleterre, 129, fo. 105; printed in Mignet, iv. 581-2), emphasized the need of absolute secrecy; but Ruvigny's two trips to Paris could not be kept secret, and suspicions were soon general.

⁷ In addition to 3,000 troops at Ostend, Danby succeeded in excepting from the disbandment an additional 3,000 for Scotland, where there were some signs of rebellion (Pollock, p. 65). On 23 May Charles had prorogued parliament for ten days, and at the same time he assured Barrillon that it was the beginning of a long prorogation. The step was generally regarded as the king's decision to make peace (Barrillon to Louis, 23 May, in Archives des Affaires Étrangères, Angleterre, 129, fos. 133-5).

by a king required ratification ; but, following the elder Ruvigny's precedent of 1676, he decided that it did.¹ That ratification was never to be given, for the reason that before the two months allowed for making the general peace were past, differences over the restitution of Sweden threw the whole peace negotiation into confusion, and brought the allies together long enough to compel France to yield the point and make peace.

When, in April, Louis beheld the intense opposition which his demand for Swedish restitution raised, he allowed it to fall temporarily into abeyance until the stage was, in his estimation, so completely set for peace that its reassertion would not spoil the play. Then at the last moment, and if possible without much publicity, he would insert in the treaty a clause absolving him from executing his part of it until a general peace restored Sweden to her old boundaries. This would probably not occur for some time, perhaps never. All this Louis explained to Estrades on 7 June, with instructions to say nothing until ordered.² On 24 June Estrades and Beverning met to make final arrangements for the signing of the treaty, which was arranged for the 27th or the 28th. Then at last Estrades mentioned, with the suavity characteristic of Bourbon diplomacy at its best,³ that France would ask the right to retain the surrendered frontier towns temporarily until a general peace restored Sweden to her old boundaries. In order better to bring pressure upon Brandenburg to achieve this without delay, Louis also asked the privilege of maintaining French troops in the duchy of Cleves.⁴ Beverning—a diplomatist not much inferior to Estrades himself—perceived at once the duplicity of the French design. He tried to ignore it quietly, but Estrades was insistent. The incident, soon known, was a bomb-shell in the negotiations ; France had over-estimated Dutch acquiescence in any sort of peace.⁵ Two days of hot debate in the states general brought an absolute refusal to negotiate on such terms (27 June).⁶ The allies enthusi-

¹ Archives des Affaires Étrangères, Angleterre, 129, fo. 174.

² Mignet, iv. 590.

³ ' Nous avons glissé quelques paroles,' &c. (*ibid.* pp. 591-2).

⁴ *Ibid.* pp. 591-3 (Estrades to Louis, 24 and 27 June). Estrades had tried to engage the Dutch in the restitution of Sweden without mentioning it specifically, but had failed, thanks to Beverning's astuteness.

⁵ But this had been easy to do. In Beverning's private letter to Fagel, he imputed ' the new unreasonableness of the French to the precipitate proceedings of the States, and the over great forwardnesse they had shewed to the peace, and also to assurances which he had understood the French had received from some merchants in Amsterdam that tho their demands were so high and extravagant, yett the town would comply with them ' (quoted from Godolphin's letter to Jenkins, 29 June, in Public Record Office, State Papers, For., Holland, 206, fos. 287-8). Meredith on 28 June did not yet know of the states' decision of the day before, and expressed the opinion that they would not reject the peace because of this latest French demand (*ibid.* fos. 281, 285).

⁶ Godolphin to Jenkins, 29 June, as above.

astically supported the Dutch with unanimous voice, and Orange's war party returned to power almost in a night.¹ Estrades saw the danger, was worried, inquired of Louis whether to stand firm, and was instructed to do so.² The French king, however, ordered Luxembourg to withdraw his army from Brussels to Mons (28 June),³ and then tempted the Dutch with assurances of future friendship and protection.⁴ But they looked in vain for a promise to evacuate the Spanish towns immediately upon the ratification of the treaty. During the first half of July that attitude was continued, and rapidly brought together the partially disintegrated alliance.

Barrillon in London was as suddenly and as thoroughly disturbed by the results of the French demand as was Estrades at Nymwegen.⁵ On 28 June Charles and Danby told him plainly that England would not support the French stand, and that peace was impossible on that basis.⁶ Beuningen and Leeuwen, heretofore strongly for peace, pointed out that neither England nor the states could safely disarm with the French occupying the Spanish towns and the duchy of Cleves, and that one of the chief reasons why the Dutch desired to make peace was to rid themselves of the burden of military taxes.⁷ Barrillon at once (29 June) warned Louis that England would not carry out the

¹ Mignet, *op. cit.* iv. 595 (especially van den Bosch to Estrades, 30 June). Even the peace-seeking Amsterdam, anxious to refute Beverning's statement that her overforwardness in regard to peace was somewhat responsible for French obstinacy regarding Sweden (*supra*, p. 536, n. 5), rose in indignation at the French demand (Public Record Office, State Papers, For., Holland, 206, fo. 288; 207, fo. 1). Beverning's accusation was not soon forgotten. After the peace was signed all the towns except Amsterdam gave him a vote of thanks for his diplomatic triumph (*ibid.* fo. 177).

² Mignet, iv. 594; Public Record Office, State Papers, For., Holland, 206, fo. 292 (Meredith's letter, 1 July).

³ *Ibid.* fo. 294; Rousset, ii. 507-8; Martin, vii. 465.

⁴ Public Record Office, State Papers, For., Holland, 206, fo. 294; Mignet, iv. 595. Louis's letter of 12 July was his final statement; and Estrades published it to the Dutch in a manifesto of 17 July.

⁵ Immediately after his important conference with Estrades on 24 June Beverning wrote to London that peace, instead of being certain, now seemed 'fort éloignée' (*ibid.* p. 593); and as soon as the states general voted to refuse further negotiations, they sent an express to England asking Charles not to disband his forces at once (Public Record Office, State Papers, For., Holland, 206, fos. 285, 292). When Charles first heard of the French demand he questioned Barrillon, who disowned knowledge thereof and immediately wrote to Paris for confirmation or denial. The king also inquired of Montagu (Temple, iv. 358-63); and so anxious was he for exact and immediate information upon the matter that he decided to send Sunderland on a special mission to Paris. Sunderland was within six hours of his intended departure when replies came from both Pomponne and Montagu, confirming the rumour, and stating further that Louis desired Montagu to say (according to the none too trustworthy Montagu) that the Most Christian King desired no special envoy sent to him, 'since it was a thing in which he was resolved and which therefore would bear no reasoning' (quoting Temple's explanation, *ibid.* p. 360).

⁶ Archives des Affaires Étrangères, Angleterre, 129, fos. 285-7.

⁷ *Ibid.* fo. 288.

treaty of 27 May if France persisted in her Swedish contention, that there was still danger of England's being drawn into the war, that the Spanish and imperial ministers were now working strenuously towards that end, that Baron Schwerin from the court of Brandenburg had never once ceased his efforts in that direction,¹ and that Danby and William were still in close correspondence.² But no moderating word came from Paris, and Barrillon had to resist the war wave by old methods, either through the court or through parliament. The former seemed impervious to persuasion: Danby and the king, while desiring a peaceful settlement, were obdurate on the point of immediate surrender of the towns to Spain; and York as usual lost his head in enthusiasm for war.³ Parliament, on the other hand, seemed a wellnigh hopeless tool with which to prevent war, for all were anticipating a long and early prorogation, many members had already left London, and there was general lack of interest.⁴ Nevertheless, as the court began to delay—the one thing about which parliament was deeply concerned—and to talk of dispatching more troops to Flanders, Barrillon fostered the general suspicion that it was all an excuse to continue an armed force with which to suppress English liberties.⁵ Throughout June (and somewhat earlier) parliament had been more concerned than Louis by Charles's army in Flanders; and at Barrillon's instigation, it had never ceased to importune the king to disband the forces at once without waiting for a ratified peace.⁶ When Charles signed the treaty of 27 May he had not expected to desert his allies. There was reasonable assurance at that time of a general peace within six weeks; and Charles was allowed two months in which to carry out his part of the treaty. Had it not been for the new French demand, the Netherlands, Spain, and Brandenburg (consenting at the last moment) would have signed by the end of June.

But now peace was obviously out of the question, and Charles acted with more than customary vigour. Sir William Temple

¹ Archives des Affaires Étrangères, Angleterre, 129, fos. 231, 244. See also Schwerin, *Briefe aus England* [1837], letters of this date, *passim*.

² Archives des Affaires Étrangères, Angleterre, 129, fo. 289.

³ Barrillon's letters, 4, 11, and 18 July, *ibid.* 130, fos. 30-2, 72, 100; York's letters to Orange, 21, 24, 25, and 27 June [all o.s.], in *Cal. State Papers, Dom., 1678*, pp. 237, 240-1, 247, 253.

⁴ *Hist. MSS. Comm., Welbeck Abbey MSS.*, iii. 360; Cobbett, iv. 1005; Archives des Affaires Étrangères, Angleterre, 130, fo. 43.

⁵ 'Tho it [the war] is really now very probable, the House of Commons are resolved not to believe a word of it, but go on towards the disbanding the army' (Savile to Rochester, 2/12 July, in *Hist. MSS. Comm., Bath MSS.*, ii. 166). See Barrillon's letters, 2, 16, 20, 27, 30 June, 4, 11 July, and 8 August, in Archives des Affaires Étrangères, Angleterre, 129, fos. 187-8, 235, 242, 267-8, 294; 130, fos. 22, 76, 189. Cf. statement of Barrillon in a letter of 18 April, *ibid.* 128, fos. 249-50.

⁶ Mignet, iv. 597-8; Grey, vi. 29-110.

was about to leave for Nymwegen to co-operate with the hitherto powerless Sir Leoline Jenkins in bringing about a general peace.¹ In view of the changed situation his orders were at once recast.² He was now to assure the Dutch that England supported them 'to the utmost', and that unless France relented he was ready to take up the negotiation of a general alliance just where it had been dropped a few weeks before.³ Temple's name was one to

¹ Temple had been away from Nymwegen since July 1677 (Temple, iv. 332; Basnage, ii. 847), during a part of which time he was somewhat out of royal favour. His objection to undertaking the diplomatic missions to France and Holland in the late autumn of 1677 probably contributed to this (Temple to Danby, 18/28 May, in Temple, iv. 344. He heard from Danby that the king and York were displeased with some of his recent statements. As a result, he offered to resign his two posts at The Hague and Nymwegen, and 'also the promise of the Secretary's place which his Majesty was pleased long since to make me so graciously' (*ibid.*). Nothing came of it, however. He wrote Jenkins later that he returned to the Continent against his will (20 July, *ibid.* p. 359).

During the twelve months that Temple was away from the Continent Jenkins had remained at the congress of Nymwegen, Edward Hyde being there also a part of the time in the place of Temple. But there was naturally little for an English mediator to do while his country was allied with one of the belligerents. The congress was for a time quite without a neutral mediator; for Bevilaqua, the papal nuncio, who had at times served in that capacity, would take no part in the negotiations following the presentation of the new French terms, owing to the alienation of Dinant, the property of the bishop of Liège (Dumont, vii, pt. i, p. 374; Moetjens, iii. 92). And Jenkins's position at this stage of the congress was most embarrassing. He importuned Williamson time and again for mediating instructions, but the secretary held strictly to the principle that none should be sent so long as the states had not definitely renounced their offensive alliance with England by a separate treaty with France (see Williamson to Jenkins, 4/14 June, in Brit. Mus., Add. MSS. 10115, fo. 314; Estrades to Louis, 24 June, in Mignet, iv. 589; and Temple to Williamson, 5 August, in Temple, iv. 381).

² Dated 6 July [n.s.], and printed in Courtenay, ii. 412-19. Williamson's original drafts are in Brit. Mus. Add. MS. 10115, fos. 316-26, and are interesting in manifesting the changes made upon news of the French demand for Swedish restitution. Cf. Bodleian Library, Rawlinson MSS., A. 255, fos. 216, 219; 256, fos. 146-7; and see also Public Record Office, For. Entry Books, 180, date 19/29 June, for Williamson's notes at the committee on foreign affairs when the original instructions were read. A copy of the letter which Charles sent along with Temple is in *Hist. MSS. Comm., Seventh Report*, p. 470.

The original plan was for Temple to confer with Orange and Fagel on his way to Nymwegen, but only to propose a *post-pacem* alliance for the protection of Flanders. Temple states that he was within twenty-four hours of sailing when the news of the 'incident' arrived (Temple, iv. 359).

³ On 6 July Charles informed Barrillon that Temple was going to The Hague and to Nymwegen on a peace mission (Archives des Affaires Étrangères, Angleterre, 130, fo. 56). In truth Temple left six days later empowered to renew old military alliances against France, and assured that the king was more resolved in the matter 'than ever [he] thought to see him' (letter to Ormond, 2/12 July, in Temple, *op. cit.* iv. 345; and cf. York to Orange, 24 June [o.s.], in Dalrymple, *op. cit.* ii. 182). He was accompanied by van Leeuwen, whose peace mission to England was no longer of use, and whom the king desired 'to persuade the states of his readiness to stick by them' (Mignet, *op. cit.* iv. 603; *Cal. of State Papers, Dom., 1678*, p. 253; Dalrymple, *op. cit.* ii. 183). Van Leeuwen's middle party in Holland, recently pacific, was now thoroughly bellicose; but he himself never ceased to assure Barrillon that the Dutch wanted peace, and that Orange's military party would go to pieces in a moment if France agreed to evacuate the surrendered towns at once.

conjure with in Holland, and his arrival—‘esteemed like that of the swallow which brought fair weather always with it’¹—disarmed suspicion of English indifference. Proceeding at once to William’s country house at Honslaerdyck, Temple opened the question of an alliance.² England’s fundamental demands were, as in previous negotiations, two: prohibition of French trade, and a promise to make no separate peace. Orange frankly told Temple that, owing to intense weariness of war, the Dutch would not agree to the latter, but would undoubtedly promise to continue the war until certain specified conditions of peace were obtainable (as in the January alliance); and as to prohibition, ‘it would be very hard to gain it by a direct convention before the war, but it was a thing [which] must necessarily follow’. Temple, however, replied that prohibition was a prerequisite of English participation. Orange was obviously troubled at this demand, which, if insisted upon, he feared would prevent the alliance; but he urged Temple to press his case directly with the states, and he offered him every facility for doing so without delay. At four o’clock the same day [14 July] Temple met the states commissioners for foreign affairs and found that all Orange had said was true. In spite of recent news from Beverning, assuring them that France would not yield, they could not promise prohibition of French goods until the war should of itself bring on an embargo. There were other difficulties involved, but this was the chief one.³ Temple argued his case with characteristic vigour: all admitted that prohibition would come with war; better declare it in advance as ‘the only way to persuade France that we were all resolved to go on with the war, since it was evident that France had made this last incident only because they thought this state would accept of any peace rather than lose their trade any longer’; nor did he fail to remind the Dutch that England had taken the step at the urgent request of the Dutch ambassador in London. The next day Temple saw William at two, and the commissioners at four, with the states general also in session. Then the deputies, having listened to a discussion of the alliance, scattered to their respective towns for instructions, and there was little for Temple to do but await the decision.

¹ Temple, ii. 442 (quoting a Dutch commissioner).

² For this conference see Temple to Williamson, 14 July, in Public Record Office, State Papers, For., Holland, 207, fos. 3–8 (printed in Temple, iv. 347–52).

³ There was opposition to the no-separate-peace clause, but it was declared that a definite statement of the terms to be secured would obviate that difficulty. There was also objection to England’s proposed share in the concert of forces; and before the deputies separated Temple had agreed tentatively (which was within his instructions, in case he could do no better) that England should furnish one-third more on sea if the Dutch furnished one-third more on land. For this conference see Temple to Williamson, 5/15 July, printed *ibid.* pp. 353–6.

Amsterdam, anxious to clear its record of doubtful loyalty, had sent Burgomaster Hoefft to The Hague at the time of Temple's arrival to reinforce the Orange-Leeuwen coalition.¹ Later, it was the first important town to take action favourable to the English alliance, including prohibition, but with a demand for delay until 5 August, by which time it was considered probable that France would yield to the ultimatum which Amsterdam desired to send.² Other important northern towns followed Amsterdam in her zealous support of the alliance, and only a few demanded delay in making it. Orange's party exerted great pressure, in some cases using threats that enervated the efforts of Estrades's secret agents.³ On 20 July it had appeared to Temple that the Dutch would send an independent ultimatum to France with a time limit of 5 August, and postpone the English alliance until that date; but at the last moment support for this measure (Amsterdam, Rotterdam, and Leyden) weakened, to the joy of Temple and Orange, who desired nothing to prevent the immediate completion of the alliance, which, in their estimation, was the surest road to French concession.⁴ Meanwhile the towns were reporting favourably on prohibition, and on 23 July the states general passed a resolution adopting prohibition for one year if the war lasted so long, and if Spain and the Empire took similar action. Temple accepted this as satisfactory, although it fell short of the English demand, both in being conditional and in being made no part of the treaty but merely a states' resolution.⁵ Even Orange appeared surprised at the

¹ Temple's letter of 14 July, as above. See also Basnage, ii. 926; and Temple, ii. 428-9 (a characterization of Hoefft).

² W. Carr to Williamson from Amsterdam, 16 July, in Public Record Office, State Papers, For., Holland, 207, fo. 35. But Amsterdam never gave way to the immoderate ambitions of many towns to reduce France to the terms of 1659. Her consent to an offensive league was to last only until France yielded to the terms agreed upon before the Swedish contention arose.

³ Mignet, iv. 604-5, quoting van den Bosch's letters to Estrades, 22 and 25 July. Cf. Vast, ii. 36, who mentions that a special envoy of the duke of York assisted in the work of intimidation (citing Estrades to Pomponne, 26 July). Louvois ordered Estrades (in a letter which fell into Fagel's hands) to threaten his Dutch correspondents with a stoppage of pensions unless they achieved better results (Temple, iv. 363).

⁴ Temple, iv. 356, 382. Regarding Dutch expectation of peace, see St.-Hilaire, i. 299.

⁵ The following is an extract from the register of the resolutions of the states general, 23 July, from a copy in Public Record Office, Treaty Papers, 49: 'Not knowing if the prohibition of the importation and consumption of french goods, manufactures, and growth can be effected and executed in this State, [the states] cannot by treaty oblige themselves to such a prohibition. Nevertheless, to show that as to that point, they will doe whatever is in their power, they have resolved to make the said prohibition . . . provisionally by Placaet for a tryall for the space of one year, in case of war against his Majestie of France must continue and should last so long.' It later stated that if England, Spain, or the Empire 'shall in any part goe off in this matter', the States are thereby relieved from an execution thereof. Shortly after

Dutch unanimity upon the resolution, as well as at their promise to make no separate peace so long as France maintained her present lofty pretensions.¹ On Monday, 25 July, the alliance was signed and sent off to England by the hands of Meredith. It gave France a fortnight in which to yield her Swedish contention and make peace. Orange congratulated Temple on his success and hurried to his army near Mons,² while Temple indulged the pleasant feeling of having accomplished what he called 'the hardest pinch of business' he ever did.³ To Temple's surprise and disgust a few days later he received word from London that the treaty was wholly unsatisfactory. He had acted quickly, but no diplomatist could have achieved his task with sufficient dispatch to escape a change of front at Whitehall.

By the Anglo-French treaty of 27 May Charles was to disband most of his newly raised forces within two months, and thereafter be neutral (if the war still continued) in return for a subsidy to start on 27 July. There were few times during his reign when Charles was not endeavouring to gain or maintain a small standing army; and he consented to this disbandment only under double pressure from Louis XIV, and from members of parliament who continually demanded it, either in order to draw French livres to their pockets or to prevent a suspected royal *coup d'état*.⁴ Under these conditions Charles and Danby seized gladly upon Louis's Swedish contention as an excuse for delaying disbandment, while the commons continued to suspect the two monarchs (some including Orange also) of preconcerted conspiracy against English and Dutch liberties.⁵ Barrillon was chagrined to see his government affording a pretext for England to maintain an army, especially as he saw the time limit of his treaty drawing near, with Charles in a position to defend himself by saying that

arriving in Holland, Temple had inquired of Charles if this would suffice. A reply—after the treaty had been signed—said it would not. See Temple to Williamson, 1 August, in Public Record Office, State Papers, For., Holland, 207, fos. 67–77.

¹ Temple to Williamson, 25 July, in *ibid.* fos. 45–9 (not printed). Cf. Temple to Bulstrode, 26 July, in *Hist. MSS. Comm., Hodgkin MSS.*, p. 317.

² Mons had been invested a few days before by Luxembourg (Mignet, iv. 607; Rousset, ii. 510).

³ Temple to Ormond, 1 August, in Temple, iv. 389. The treaty is in Public Record Office, Treaties, no. 323; a copy is in Public Record Office, Treaty Papers, no. 49; and it is printed in Dumont, *op. cit.* vii, pt. i, p. 348; Trevor, i. 403–7.

⁴ Very few now believed that Charles had ever intended to go to war. Everything seemed to point to a clever ruse to procure an armed force under his command. See *Hist. MSS. Comm., Rutland MSS.*, ii. 51; *ibid. Bath MSS.*, ii. 161–2, 166; Archives des Affaires Étrangères, Angleterre, 129, fo. 220; Mignet, iv. 597–8; *Commons' Journal*, ix. 508.

⁵ Barrillon's letters, 30 June, 4 and 11 July, in Archives des Affaires Étrangères, Angleterre, 129, fos. 294–8; 130, fos. 22, 76–7 (cf. Mignet, iv. 599). It was on 24 June—the very day on which Estrades broke up the Nymwegen negotiations by revealing French intentions—that the commons passed a bill for paying off and disbanding the forces (Grey, vi. 89; *Cal. of State Papers, Dom., 1678*, p. 224).

if he disbanded his troops, and France should then campaign in Flanders, 'he would be in peril of being driven from England for having betrayed the interests of the nation'.¹ Somewhat to disarm suspicions as to his motives Charles ordered three more regiments to Nieuport early in July.² But their sailing was postponed from day to day, owing somewhat to Barrillon's influence;³ and only after the new Dutch alliance was signed were they sent. Even then Charles promised Barrillon positively that his forces would not leave the towns where they were then quartered.⁴

Meanwhile the treaty of 27 May naturally went unratified.⁵ Barrillon's persuasions were spent in vain on Danby, who claimed that no English ratification was necessary since the king himself

¹ Mignet, iv. 600 (quoting Barrillon to Louis, 14 July).

² *Cal. of State Papers, Dom.*, 1678, pp. 247, 248, 254, 271, 281, 294 (chiefly letters of the duke of Monmouth to his officers, who were instructed to obey the Spanish governor in case of defence, but not to assume the offensive without Monmouth's orders).

³ At least he took some of the credit to himself (*Archives des Affaires Étrangères*, 129, fo. 212; 130, fo. 79). York wrote to Orange on 15 July that troops sailed on that day, but it seems that he was misinformed (*Cal. of State Papers, Dom.*, 1678, p. 277). It is not surprising that army morale was low. When one regiment prepared to embark 200 deserted, of whom 150 were retaken. One lieutenant resigned his commission and harangued his soldiers, saying that 'he thought he and they should have been employed in an actual war against France, but he now feared the design was to enslave their own country, and he would not be an instrument therein, and advised them to consider well what they did; upon which they flung down their arms and run away' (*Hatton Corresp.*, i. 166-7). The conditions in the regiments already in Flanders can be judged from Colonel Legge's orders and papers in *Hist. MSS. Comm., Eleventh Report*, app. v, p. 27.

⁴ *Archives des Affaires Étrangères*, 130, fos. 152, 160, 180. In Orange's first conference with Temple (14 July) he urged that more English troops should be sent at once, and that they should be commanded to obey his orders 'in case he should have need of them upon some great and pressing occasion' (*Public Record Office, State Papers, For.*, Holland, 207, fos. 3-8). But England refused to do anything until the alliance was actually signed. 'Nobody here will believe it reasonable for us to engage (who are out of the war), until we can be assured that you, who are already in it, shall not abandon us, when you think fit, insomuch that I take the whole work to be in finding how to give us that assurance' (Danby to Orange, 1/11 July, in *Cal. of State Papers, Dom.*, 1678, p. 268). On 29 July, when troops were being sent across, York wrote: 'Till the war be declared, we cannot let you have any of our foot to join your army' (*ibid.* p. 302; also in Dalrymple, ii. 186).

Feversham left England on 28 July (for his instructions, dated 13/23 July, see *Hist. MSS. Comm., Fourth Report*, p. 232), and troops followed daily (*ibid. De Fleming MSS.*, p. 147; *ibid. Seventh Report*, p. 470). On 8 August he and Borgomanero returned and advised against the embarkation of 3,000 horse and dragoons until hearing from Orange; but on the evening before Monmouth had left for Flanders with orders to take eight of the fourteen battalions of foot there, and make what haste he could to join Orange (*Cal. of State Papers, Dom.*, 1678, p. 331; *Archives des Affaires Étrangères, Angleterre*, 130, fo. 189). Not sufficient haste was made, however, to assist William at the battle of Mons (14 August), for although Monmouth himself was present, his army was still at Brussels. See his Journal from 28 July to 21 August [*o.s.*], in *Cal. of State Papers, Dom.*, 1678, pp. 322-8.

⁵ i. e. by England. Pomponne had sent the French ratification on 12 July (Mignet, *op. cit.* iv. 601).

had signed the treaty ; and that since execution of its provisions was at present out of the question, owing to unforeseen developments, France ought to grant a month or so longer.¹ There was then (23 July) insufficient time for Barrillon to obtain permission for this extension. It was clearly Danby's plan to maintain the treaty in some manner until disbandment might safely be carried out. On 25 July two sops were handed to France to atone for refusing to disband and for signing on that very day a new Dutch alliance. First, parliament was prorogued ;² and secondly, a new ambassador—strongly pro-French, and a close friend of Barrillon and the duchess of Portsmouth—was sent to Paris. Early in July Charles had informed Barrillon that he intended to send the earl of Sunderland to France on a special mission to explain the English situation.³ Following Montagu's sudden return⁴ it was decided to appoint Sunderland to his regular post ; but not until 25 May—by which time Charles knew that Temple was confident of success⁵—did he depart with very general and unimportant instructions in the interests of peace.⁶ Like most English Restoration ambassadors at Paris, he did little while more important negotiations proceeded elsewhere. The crux of the situation lay in the demand for Swedish restitution ;

¹ Barrillon to Louis, 18, 21, 23, and 25 July, in Archives des Affaires Étrangères, Angleterre, 130, fos. 108–10, 120, 126–9, 135–6.

² Cobbett, iv. 1005. There were several successive short prorogations, but Barrillon seems to have known that there would be no meeting for months to come.

³ Archives des Affaires Étrangères, Angleterre, fos. 33, 39, 51, 53, 78.

⁴ He had returned about 10 July without permission in order to clear himself of accusations brought against him by the duchess of Portsmouth and Cleveland after an unsavoury episode with the latter's daughter in Paris. See the duchess of Cleveland's two letters to Montagu in Steinman, *A Memoir of Barbara, Duchess of Cleveland* (1871), pp. 154–5 ; her daughter's (Lady Sussex's) letter (?) to him in Brit. Mus., Add. MS. 21505, fo. 41 (from the Melfort papers) ; and the duchess's two letters to Charles II (which were directly responsible for Montagu's disgrace) in *ibid.* fos. 32–8, and in the *Catalogue of the Morrison Collection*, Series II, iii. 233–6. Immediately after his return the king, backed by Danby for personal reasons, and by the whole French party for political reasons, refused him an audience and hastened to complete his disgrace by dismissing him from the privy council. See Archives des Affaires Étrangères, Angleterre, 130, fos. 111–12, 131 ; Dalrymple, ii. 185 (York to Orange, 12/22 July) ; *Hist. MSS. Comm.*, *Rutland MSS.*, i. 52 ; Bodleian Library, Rawlinson MSS., A. 268, fo. 38 b. York endeavoured to mediate in Montagu's behalf, but to no avail (Archives des Affaires Étrangères, Angleterre, 130, fo. 149).

⁵ Temple's letter of 20 July in Temple, iv. 356–62. Cf. Brit. Mus., Add. MS. 10115, fo. 327 ; and Archives des Affaires Étrangères, Angleterre, 130, fo. 102.

⁶ Bodleian Library, Rawlinson MS., A. 268, f. 39 b (for his credentials, dated 12/22 July). Cf. *ibid.* 256, fos. 132–4. The allied ministers in London were much embarrassed by the embassy (Archives des Affaires Étrangères, Angleterre, 130, fo. 125), and likewise Temple, when he heard of it, which was not until about 29 July (Temple, iv. 366, 377). On the evening of the day that Sunderland departed Barrillon conferred with Danby, and felt much encouraged as to the probability of disbandment (*ibid.* fo. 145) ; but after the day for ratification was passed he treated his court to an invective against English perfidy and fickleness (*ibid.* fos. 170–1, and cf. 106).

and there is every reason to believe that France, after seeing the effect of this demand, and the impending war against an alliance strengthened by England's might, was doing her utmost to retire gracefully and without humiliation.¹ In this Danby was glad to assist Barrillon; for in the face of a hostile parliament and an empty exchequer the treasurer was now extremely anxious for peace. Only thereby could England disband, and only after disbandment would the much-desired subsidies appear. It seems certain—though the negotiation is clouded—that Danby and Barrillon co-operated unconsciously in asking Sweden to relieve France of her embarrassment. Olivekrans, having been in England since March, was encouraged to hope for an English alliance, and the possible marriage of the young king of Sweden and the Princess Anne was dangled before his eyes.² A French alliance would then be no longer necessary, perhaps not possible. As a result Olivekrans went to Nymwegen, and on 26 July he requested the French plenipotentiaries to hold off no longer on Sweden's account, but to sign the treaty at once, merely with the proviso that the states and Spain should give no more aid to Sweden's enemies.³ French honour precluding Barrillon's working openly to promote this proposition—which was just what he wanted—a perfect tool came to his hand. About the same time that Olivekrans arrived at Nymwegen, du Cros⁴—a diplomatic free lance and busybody, representing the duke of Holstein but now nominally in Swedish interests and actually in the pay of Barrillon—persuaded Charles of his power to state, when, presumably, neither he nor Barrillon actually had such power, that Sweden would be satisfied to be left out of the treaty if England would guarantee Spanish and Dutch neutrality.⁵ Charles was at the time sending troops to the Continent and encouraging the allies to continue the war;⁶ and on 29 July Meredith arrived

¹ See e. g. Temple, ii. 451.

² Barrillon to Louis, 18 July and 1 August, in Archives des Affaires Étrangères, Angleterre, 130, fos. 100–7, 171. Cf. *ibid.* Hollande, 106, fo. 31.

³ Estrades, &c., to Louis, 26 July, quoted in Mignet, iv. 609. Cf. Ségur, ii. 489 (regarding a Swedish courier's arrival at Nymwegen on 6 August with this advice, perhaps direct and more official, if the date is correct).

⁴ Temple, ii. 445; Lyttel, *Sir William Temple* [Oxford, 1908], p. 44, n.; Grovestins, iii. 156; Basnage, ii. 927; Dalrymple, ii. 180; Brit. Mus., Add. MS. 22878, fos. 16–17. Du Cros's overture was undoubtedly the result of conferences with Barrillon and the duchess of Portsmouth.

⁵ See additional instructions to Temple, dated 23 July [o.s.], in *ibid.* 10115, fos. 333–4 (printed in Courtenay, ii. 420–3. It would seem from Barrillon's letter of 28 July (Archives des Affaires Étrangères, Angleterre, 130, fo. 154) that Charles knew at that time of du Cros's scheme. At least the letter states that the king was then endeavouring to negotiate peace for the good of Sweden—'because if the war continued, the Swedes would be driven entirely out of Germany'. See also Barrillon's letter of 30 July, in *ibid.* fo. 162.

⁶ Charles II to Villa Hermosa, 18/28 July, in Bodleian Library, Rawlinson MSS.,

with Temple's treaty.¹ There was a sudden *volte-face*; and Temple was soon instructed to relate du Cros's tale to Orange and Fagel, and then to hurry to Nymwegen, assure Olivekrans of the English guarantee, and assist in making the peace.²

Meanwhile, Williamson had taken great delight, partly for reasons of personal enmity, in criticizing Temple's treaty unmercifully. He pointed out article after article which was not in accordance with the instructions given,³ and as Temple wrote to Danby, he 'found twenty faults with it and allowed nothing in it that was good'.⁴ But in spite of these deficiencies (which Williamson said would be kept secret), he promised to proceed with immediate ratification, which was not to be exchanged with the Dutch, however, until the specified points were altered to English satisfaction.⁵ From 1 August, when Temple got this

A. 268, fo. 40 (a French copy). This letter was probably called forth by Bulstrode's communication of ten days before, which described Spanish somnolence (Public Record Office, State Papers, For., Flanders, 52, fos. 15-16). Moreover, on 28 July the ministers of the empire, Spain, and Lorraine conferred with the king, Arlington, the chancellor, and the two secretaries of state regarding a general alliance (Archives des Affaires Étrangères, Angleterre, 130, fo. 154); and Borgomanero left very soon for Brussels—probably bearing Charles's letter with him—in order to assist in synchronizing possible military efforts of the English, Spanish, and Dutch (York to Orange, 17/27 July, in *Cal. of State Papers, Dom.*, 1678, p. 296).

¹ Archives des Affaires Étrangères, Angleterre, 130, fo. 160.

² Instructions of 23 July [o.s.], as above. So anxious was Danby to lose no time that Meredith (accompanied by du Cros) hurried away from London without taking formal leave of Williamson, and before the latter had given him full instructions, which reached him, however, by special messenger at Colchester on 3 August (Public Record Office, State Papers, For., Holland, 207, fos. 81, 89). A few days before Ruvigny had left England for Paris, bearing the king's new peace proposals and orders for Sunderland based on du Cros's statement (Archives des Affaires Étrangères, Angleterre, 130, fos. 160, 175).

³ Williamson to Temple, 19/29 July, in Brit. Mus., Add. MS. 10115, fos. 327-9. His chief objections were: (a) that prohibition was merely a states' resolution, and not a part of the treaty, and that it was resolved only for one year, and even that conditionally upon its enforcement by all the allies, (b) that the treaty failed to state numbers of forces to be supplied, only proportions being given, and (c) that the restitution clause was limited to Europe, when 'one of our [England's] first feares after wee are in the warr is like to be for our Plantations in the West Indies'. See also Williamson's and York's letters to Orange in *Cal. of State Papers, Dom.*, 1678, pp. 302, 309-311; and Williamson's notes at the meeting of the committee on foreign affairs, in Public Record Office, For. Entry Books, 180, under date of 20 July [o.s.].

⁴ 2 August (Temple, iv. 375). Temple wrote to Danby of his frequent past bad treatment at Williamson's hands, and of his recent troubles, particularly of the secretary's failure to inform him of important developments bearing on the negotiations. Of the departure of Sunderland, Feversham, and Borgomanero, and even of du Cros's important overture, he had heard up to that time only indirectly from other ministers at The Hague.

⁵ On 29 July York informed Orange of troop shipments, but added: 'Till the war be declared, we cannot let you have any of our foot to join your army, which cannot be till those points you will hear of be agreed to' (*Cal. of State Papers, Dom.*, 1678, p. 302). The English ratification was sent on 11 August, the day after peace was signed (*ibid.* pp. 340-1); but on 7 August Monmouth left England with orders to march most of the English forces to William's support (*ibid.* p. 331). Temple returned

letter, until 5 August, when Meredith and du Cros arrived with the new overtures and instructions,¹ little could be accomplished except some arrangements regarding concert of forces. As to prohibition, Temple made it clear that nothing more could be expected, nor did he conceal irritation that his strenuous and successful endeavours should call forth only criticism in place of praise and instant ratification.²

The Dutch, knowing of Sweden's action at Nymwegen,³ and seeing therein a concerted Franco-Swedish move to yield gracefully, were in no mood for further concessions for the sake of a military alliance. Late in July Louis XIV was showing signs of weakening in his late over-imperious attitude. He now offered to meet the states' deputies at St.-Quentin for separate negotiations upon guarantees of Swedish restitution.⁴ It was a temptation, but the combined influence of Temple, Fagel, and Orange was sufficient to prevent the states general from taking a step so contrary to the alliance with England which they had just signed.⁵ On 4 August Beverning informed Estrades of this refusal, and added the warning that only six days remained for France to

from Nymwegen to The Hague on 14 August, presented the English ratification, and sent the Dutch ratification to England on 16 August (Public Record Office, State Papers, For., Holland, 207, fos. 115, 133).

¹ Du Cros was very imperious in his attitude towards Temple, taking to himself all the credit for bringing about the Swedish concession, and referring to the gracious manner in which Charles II yielded to all points of his plan. Temple, already irritated at English delay in ratifying his treaty, and now more so as he saw his diplomatic efforts suddenly foiled by this free lance envoy whose methods he despised, and of whose success he was jealous, told du Cros that the Swedish ambassadors at Nymwegen had ceded the point some days before. Thereupon du Cros referred nonchalantly to letters which he had written them before leaving London, and Temple could scarcely reply; but later he compared the dates, and decided that du Cros could not have originated the whole thing, as he claimed to have done. See Temple's letters to Williamson, 5, 9 August, in Temple, iv. 380-3, 387; and a letter to Danby, pp. 398-9. The jealousy between the two men never ceased. See du Cros, *Letter in Answer to the Impertinences of Sir William Temple* [1693]. Du Cros went on to Nymwegen the same day, and Temple—heavy-hearted and disgusted—three days later. This delay of three days, contrary to instructions, was afterwards made one of the many points upon which Temple was criticized (*Cal. of State Papers, Dom., 1678*, p. 360).

² 'Since the greatest service I could ever hope to do his Majesty or the Crown of England proves to be a fault, I humbly ask his Majesty's pardon; and shall learn hereafter to tie myself as strictly to my orders as a clerk of the office ought to do, since I find so severe a lash hung over me; tho I am, I confess, of the opinion that no Prince, or State can ever tie up so strictly either a General, or an Ambassador, or give them reason to act in perpetual fear, without losing the greatest occasions in the world, either in treaties, or in war' (Temple to Williamson, 1 August, in Public Record Office, For., Holland, 207, fos. 67-71, printed in Temple, iv. 370-4).

³ See *ibid.* p. 379 (relating that Sylvercroon told Fagel on 4 August of Sweden's appeal to France). Huygens heard it on 5 August (*Journal, &c.*, p. 266).

⁴ Mignet, iv. 607; Lavissee, vii. pt. ii. 342. Louis communicated this offer to Estrades by letter of 25 July, and the latter published it on 30 July.

⁵ Public Record Office, State Papers, For., Holland, 207, fos. 67, 72, 75, 83, 91-4. Cf. Basnage, ii. 928.

sign before English and Dutch forces would move. The French plenipotentiaries were alarmed, and wrote often and plainly to Paris that no Dutch concession was to be expected.¹ Their persuasions wrought results. On 2 August Louis instructed them to desist from his original Swedish contention, but still to insist upon the St.-Quentin conference as a prelude to peace.² Two days later, upon hearing that the states general had refused to send deputies to St.-Quentin, he gave final instructions to sign the treaty at the last moment, and to be content with merely a special article, or even 'une garantie générale', stating that neither Spain nor Holland would continue to aid Sweden's enemies.³

When Temple arrived at Nymwegen on 8 August, Estrades was still holding out for actual guarantees of Swedish restitution by means of the St.-Quentin conference. He had not yet revealed Louis's final concession.⁴ Late on the evening of the 9th the Dutch declared they would talk with Louis at St.-Quentin immediately after peace was signed and not before. Furthermore, they stated in no uncertain terms that unless France signed within twenty-four hours, English and Dutch armies would move.⁵ Estrades believed it, and the next morning he brought out his final card, somewhat to the surprise of the Dutch, who, at the last moment, seem to have doubted whether France would yield. Some were badly disposed towards accepting Louis's eleventh-hour concession, but Beverning explained away their difficulties, cleared up the all too many ambiguous phrases, and prevented the introduction of any ambiguities in regard to French surrender of the towns. It was a day of much conferring between the French and Dutch, with little time to consult others.⁶ Temple and Jenkins, informed of developments at the last moment after having had no part in the negotiations, refused to sign.⁷ Spain

¹ Letters of 27, 29 July, 2 and 4 August (Mignet, iv. 607-8).

² The invitation to this conference implied that certain guarantees of Swedish restitution might suffice, but previously Louis had insisted on retaining the border towns until the actual restitution had been made. See Temple, iv. 389.

³ Mignet, iv. 609-10.

⁴ Temple, ii. 446-7; iv. 385-92.

⁵ Estrades, &c., to Pomponne, 9 August, quoted in Mignet, iv. 611.

⁶ See chiefly Estrades, &c., to Louis, 10 August, midnight, which is nearly all printed, *ibid.* pp. 612-22. Cf. St. Hilaire, i. 300; and Temple, ii. 448. Wijnne's careful study of the period concludes that Beverning did not exceed his instructions on this day, as has often been affirmed, and also that Orange was not so opposed to peace as is usually represented. In Baasnage, ii. 931-2, are printed the full Dutch and French texts of the secret resolution of the states general of 8 August, which constituted Beverning's final instruction. See Temple, ii. 449, for his inconclusive discussion of the subject. There is general agreement that throughout the entire negotiation at Nymwegen, French diplomacy was at its best. See Temple's statement, *ibid.* p. 451.

⁷ *Ibid.* pp. 448-9. Their instructions referred only to the signing of a general peace. Estrades and his colleagues wrote that they were received by Temple, when calling for his signature, 'as if we had come to assassinate him' (see his letter of

was in a somewhat similar position; and thus between eleven and twelve o'clock on the night of 10 August, the French and Dutch plenipotentiaries alone signed the treaty of Nymwegen.¹ It was a separate and not a general peace, but one clause called for Spanish concurrence before it should be ratified.

The subsequent battle of Mons (14 August) made no change in the situation, but testified to Dutch preparations for military measures in case of French refusal to sign. Dutch condemnation of the encounter, moreover, bore witness to the deep-seated opposition to Orange's war policy.² Whether or not William knew of the peace at the time was long a moot point, in spite of his absolute denial of it.³ It is now certain that he had received no official notice of it, but it is just as certain that he had much more than reasonable assurance of it. It is therefore difficult to exculpate him altogether from the charge often preferred, that he deliberately took advantage of a final chance of a victory after the peace.⁴ Meanwhile the news of the treaty reached The Hague and London to the surprise of most people who expected a general peace,⁵ to the disgust of some who opposed any sort of peace, and to the downright satisfaction of the Dutch alone, most of whom yearned for any reasonable terms.⁶ The ministers of the

10 August). Cf. St.-Hilaire, i. 301; and Sunderland to Danby, 17 August, in *Catalogue of the Collection . . . by Alfred Morrison* [First Series, 1883-92], vi. 209.

¹ Maestricht, the only portion of the Netherlands held by France, was restored; Charleroi, Binche, Ath, Oudenarde, and Courtrai were the chief towns surrendered to Spain; and France kept Valenciennes, Bouchain, Condé, Cambrai, Aire, St.-Omer, Ypres, &c. (see Lavissee, vii, pt. ii, pp. 343-45). The most important annexation to France by the treaty was Franche-Comté. The treaty of twenty-one articles and one separate addition is printed in Dumont, vii, pt. i, p. 350 f.; Vast, ii. 53-62; Moetjens, ii. 590-9; Flassan, iii. 428-71. A commercial treaty of thirty-eight articles was signed at the same time.

² See Estrades to Pomponne, 24 August, quoted by Mignet, iv. 628; and an anonymous letter from Middelburg, 6 September, in Public Record Office, State Papers, For., Holland, 207, fo. 227.

³ On 15 August Orange wrote to Fagel: 'Je déclare devant Dieu que je n'ai appris qu'aujourd'hui que la paix était faite.' A copy of this letter is *ibid.* fo. 120; and see also Dyckvelt's letter, fos. 118-19. Both these letters are printed in Arnoldus Montanus, *Het Leven*, &c. [Amsterdam, 1703], i. 304-8; and cf. Basnage, ii. 940-2; and Vast, ii. 37.

⁴ The best descriptions of the battle are in Ségur, ii. 492-538; and Rousset, ii. 516-28. It was indecisive, both sides claiming victory. A suspension of arms was agreed to on the fifteenth, and four days later a truce was signed, and the armies withdrew at the same hour, the French to Ath and the Dutch to Brussels (Moetjens, ii. 672-6; St. Prest, i. 620; Public Record Office, State Papers, For., Holland, 207, fos. 152-4, 162, 166).

⁵ 'It has so stunned me', wrote York to Orange on 14 August, 'I do not know what to say on it nor guess what will follow on it' (*Cal. of State Papers, Dom., 1678*, p. 345; Dalrymple, ii. 189). But Barrillon thought that York (as well as Danby and the king) exaggerated his surprise (Archives des Affaires Étrangères, Angleterre, 130, fo. 197). London merchants were as usual pleased with peace (*ibid.* p. 212).

⁶ Mignet, iv. 630. See also a letter of 6 September from Middelburg, in Public Record Office, State Papers, For., Holland, 207, fos. 227-8.

allies at London complained;¹ their plenipotentiaries at Nymwegen made formal protest;² and Villa Hermosa swore at first that he would never consent to an imposed neutrality.³ But the most sensible minds soon recognized the necessity of accepting the treaty as a *fait accompli* which should be amplified into a general peace as soon as negotiations permitted.

Official England was, however, displeased. It had received no payment for its temporarily bartered neutrality, which would now be without a market if the Franco-Dutch treaty of Nymwegen were to be ratified. To forgo subsidies in order to join the states, and then to see them at once signing a separate peace, was a humiliation for which Temple had to suffer. To Williamson's criticisms of his Anglo-Dutch alliance was now added a long list of complaints centring about his failure to prevent the separate peace,⁴ and he was soon out of favour at the English court. To the surprise of many, however, he was not recalled, but was ordered back to The Hague, where his efforts to prevent ratification were soon reinforced by those of Hyde, who arrived 25 August. Together they strove to hold the Dutch to a strict execution of their English alliance,⁵ while Charles gave encouragement by sending more troops to Flanders.⁶ Meanwhile Charles was continually assuring Barrillon that his representatives were hindering peace in no way,⁷ that he himself was chiefly responsible for the treaty of Nymwegen through the pressure he had put upon Sweden,⁸ that he was anxious to treat with France regarding guarantees of Swedish restitution:⁹ in short, that he was still

¹ Archives des Affaires Étrangères, Angleterre, 130, fo. 203.

² Moetjens, ii. 583-7, 657-62.

³ Public Record Office, State Papers, For., Holland, 207, fo. 113.

⁴ See Williamson's notes of 13/23 August, in *Cal. of State Papers, Dom.*, 1678, p. 360; and also Archives des Affaires Étrangères, Angleterre, 130, fos. 253, 319-20. The criticisms touched particularly Temple's over-anxiety for a Dutch alliance against France, somewhat irrespective of English interests. Barrillon probably put into words the feeling of a good many Englishmen: 'La conduite de Mr. Temple est celle d'un ministre du Prince d'Orange plutost que d'un ambassadeur d'Angleterre' (letter to Louis, 22 August, *ibid.* fo. 226). Cf. *ibid.* fos. 191-2, 241-2, 297, regarding England's jealousy of Holland's liaison with France.

⁵ See Hyde's instructions of 12/22 August, in Public Record Office, State Papers, For., Holland, 207, fos. 166-9; his letters of 26 and 30 August, 6 and 9 September, *ibid.* fos. 181-92, 197-200, 221-6, 237; and his memoir to the states, 25 August, in Moetjens, ii. 681-2. Cf. Danby to Orange, 12/22 August, in *Cal. of State Papers, Dom.*, 1678, p. 357; and Archives des Affaires Étrangères, Angleterre, 130, fos. 252-3.

⁶ *Ibid.* fos. 230-1, 252, 261, 269-70; Bodleian Library, Rawlinson MSS., A. 256, fo. 134, and 268, fo. 41 (Feversham's instructions on going to Flanders, dated 26 August [o.s.]); *Cal. of State Papers, Dom.*, 1678, pp. 360, 370, 375, 392; *Hist. MSS. Comm., Seventh Report*, pp. 471, 484; *ibid.*, *Thirteenth Report*, pt. vi, pp. 8-9; Dalrymple, ii. 191-2.

⁷ Archives des Affaires Étrangères, Angleterre, 130, fo. 262.

⁸ *Ibid.* fo. 210.

⁹ *Ibid.* fos. 198-9. But at both London and Paris he carefully refrained from

a suitable person to receive subsidies. 'Le but principal ici', wrote Barrillon on 22 August, 'est d'avoir de l'argent.'¹ But Charles did not succeed either in preventing the ratification of the treaty or in securing French subsidies. The states treated Hyde and Temple courteously, but paid little attention to English petitions, while successfully pursuing their rôle of mediator between Paris and Madrid.² In a short time Holland and Spain suspected ulterior motives in the continued transportation of English troops to Flanders, when war was thoroughly improbable, and such military encouragement on the part of England soon ceased.³ As to French subsidies, Charles sought earnestly to renew his contract while ratification was still in the balance; but in spite of Danby's urgent persuasions, and a special mission of St. Albans to Paris,⁴ Louis saw no need of further expense in that direction. Particularly not after 17 September, when, with Spanish concurrence, the states ratified the treaty of Nymwegen, and the war was over.⁵

CLYDE LECLARE GROSE.

positive and specific guarantees. See *ibid.* fos. 219, 231-2, 331; and St.-Hilaire, i. 300.

¹ Archives des Affaires Étrangères, Angleterre, 130, fo. 225.

² Mignet, iv. 630-1, 666-7; Basnage, ii. 944; Public Record Office, State Papers, For., Holland, 207, fo. 213 (the states' thanks to Charles II, dated 5 September).

³ *Cal. of State Papers, Dom., 1673*, p. 397 ('as if we would keep some of their towns'—Williamson).

⁴ Archives des Affaires Étrangères, Angleterre, 130, fos. 211-12, 219-21, 245-7, 258-9, 271, 278-81, 289-90, 298, 323, and especially *ibid.*, 132, fo. 274 (Louis's instructions of 29 August to Barrillon, explaining why France would not carry out the treaty of 27 May). Cf. Dalrymple, ii. 178-9.

⁵ Spain promised to ratify by 31 October, but soon attempted a postponement until the emperor had ratified. Twice France accorded delays (until 20 and 30 November), and then a movement of troops about Brussels was required to compel Spanish ratification on 15 December (Mignet, iv. 667; St. Prest, i. 623). Eight later treaties brought the general war to a close (printed in Dumont, vii, pt. i, pp. 376-435).

George Finlay as a Journalist

I HAVE had an opportunity during last winter of going through Finlay's papers in his library at the British School at Athens. The present article deals with his work as a journalist, which is preserved in a volume of newspaper cuttings, labelled 'Greece, 1843, &c.', in another, labelled 'Miscellaneous', and in a third, entitled 'Greek Papers. G.F.' *The Times* correspondence, together with the covering letters to the manager, is in nine manuscript volumes of 'Letters on Greek Affairs'. The first of these contains the first few printed letters also; the other printed articles are in five folios, of which one is labelled 'Greek Documents from 1865', the others 'Affairs of Greece'.

Finlay's earliest contribution to the press was a letter, bearing his name, dated from Aegina on 5 August 1827, and published in an unidentified Scottish newspaper soon after 15 December. Two more letters from Aegina on the state of Greece, one anonymous, the other signed 'F', appeared in the *Scotsman* of 14 May and 1 November 1828. He next published, under the signature of Προμηθεύς, three letters in Greek in the 'Αθηνά of Nauplia on 24 June and 1 and 19 July 1833 (n.s.), two addressed to A. Maurokordatos and one to G. Psyllas. A fourth, which exists in manuscript, was never published owing to the stopping of the newspaper for nine months. There come next ten letters, signed 'Φ', 'Phylax', or else anonymous, which appeared in the *Morning Herald* of 2 and 15 July and 5 November 1839, 3 February and 13 April 1840, 28 July 1842, 28 January, 17 and 23 June, and 8 July 1845.

An article, also signed 'Phylax', on 'An Important Section of the Eastern Question', was published in the *Malta Times, or Sheet of the Mediterranean* of 15 May 1840. With 5 August 1843 began his eight signed articles in the *Athenaeum* on archaeology. These appeared at very long intervals, despite the invitation of Hepworth Dixon, the then editor, on 7 January 1856, 'now and then to give me a note on the intellectual movement in Greece'; for the remaining seven articles were published on 2 August 1851, 3 March 1860, 17 May 1862, 3 August 1867, 19 June 1869, 22 April 1871, and 31 August 1872. On 23 June 1852 the *Edinburgh Witness* printed a signed letter from him

on 'American Missionaries in Greece'; on 8 November and 29 December 1856 the *Spectator* published two signed letters, followed by an unsigned letter on Indian affairs, which appeared in the London *Evening Star* of 19 December 1857. His long connexion with the *Saturday Review*, to which he contributed twenty-one unsigned articles on Eastern affairs—some preserved in the same volumes as *The Times* articles, others pasted into two little note-books—began on 2 May 1862 and lasted till 6 May 1871.¹ On 6 January 1863 the *Daily News*, under the heading of 'Obstacles to the Progress of Greece', published a long, signed 'Memoir of the Municipal Institutions, and on the causes of the rude condition of agriculture in Greece'. It also printed on 23 August 1864, 'without his authority and . . . much to his regret', two letters written to E. A. Freeman, which were republished on 26 August in *Galighani's Messenger*. Before 1864 he also contributed fourteen anonymous articles—all but two on Greece—to *Blackwood's Magazine*, beginning with November 1842 and ending with December 1863.² An unpublished article of 1869 on 'The Cretan Insurrection and Hellenism' exists in proof. 'In all my political views', he wrote to Col. Leake on 15 June 1850, 'I differ from *Blackwood's* writers, but it is the only public journal of any circulation into which I can get my writings inserted.' The only other magazine to which he obtained access was the *Massachusetts Quarterly Review*, which in December 1847 published an article of thirty-four pages from his pen. A contribution to the *Edinburgh Review*, sent through Grote in 1854, was held up by Lewes, the editor, who did not think it 'written in an attractive style', but was willing to accept it, if 'the author did not insist on immediate publication'. It appeared in *Blackwood* in November 1854.

On 11 April 1850 and 20 July 1853, *The Times* had published two signed letters from Finlay, on his claim against the Greek government and on 'Passports in the Mediterranean'. But it was not till 16 April 1864 that General Eber, who had been its special correspondent in Athens, asked him, on behalf of Mowbray Morris, the manager, to write 'once a week a column or a column and a half'. Finlay answered on 29 April: 'to me the offer is very acceptable.' He was to be paid five guineas per article, and it was afterwards agreed that he should receive half that sum for several articles crowded out. But as early as 25 May Morris

¹ The other articles appeared on 8, 15 November 1862; 25 July 1863; 20 May, 19 August, 30 September 1865; 21 July 1866; 10 August, 5 October, 26 December, 1867; 11 January, 29 February, 9, 30 May, 29 August 1868; 6 February, 17 April 1869; 8 January, 31 December 1870.

² The others appeared in September 1843; June 1844; October 1845; May, July, September 1847; May 1850; February, October, November 1854; May 1861; and November 1863. In all they amount to 231 pages.

requested him, in view of important events elsewhere, 'not to write more frequently than once a fortnight, unless affairs in Greece should take an unexpected turn'. Between 12 May 1864 and 8 August 1874, the dates of publication of his first and last dispatches, *The Times* published 142 unsigned articles by him, while 24 unpublished articles are preserved among his papers.

Finlay's correspondence to *The Times* may, in some sort, be regarded as a sequel to his *History*, which really extended no further than 1864, although it mentions one event which occurred on 5 December 1865 and its last chapter bore the date of May 1866. The decade covered by these articles embraced the departure of Count Sponneck, the Cretan insurrection of 1866-9, the opening of the first Greek railway, the 'Marathon Massacres' of 1870, the erection of the Bulgarian exarchate, and the question of the Laurion minerals. It was an interesting, if depressing, period of Greek history. But Finlay was neither a very active nor a very good newspaper correspondent. His letters were in the nature of dissertations, especially on his favourite theme, the neglect of roads and agriculture, of which he wrote feelingly from his own unfortunate experience with his property at Liosia, and he gave views rather than news. His carping criticism, which would have sent a modern correspondent in some countries to the frontier, aroused widespread protests. As early as 15 March 1865 Morris addressed to him an 'admonition against harshness'. The manager wrote :

Your plain speaking has raised a storm of indignation. . . . I think Greece's friends ought now to give her every encouragement, to abstain from hostile criticism, and not to bear too harshly upon the want of public spirit. . . . You judge too harshly and . . . are doing harm by your harshness. I would suggest milder treatment.

Finlay replied :

More good has been done to Greece by my harshness than harm to any person. I have no prejudice for or against any set of men individually. . . . I have taken care never to say anything that has not been previously said in an Athenian paper, for I am aware that the opinion of a foreigner . . . will not be received as legitimate reproof unless it is an echo of domestic criticism.

This is somewhat ingenuous ; the present writer was once visited with the displeasure of a certain Italian authority for quoting in his correspondence the hostile opinion of an eminent Italian scholar about the Libyan war. Finlay concludes : 'In my next letter . . . I shall do my best to be very smooth tongued.' He did not long remain so. In all his 142 letters I can find only four persons whom he praised : the 'only two men during the

reign of King George', who 'can boast of having impressed their personal mark on his government',¹ Delegeorges, the premier (of whom he wrote to Morris on 27 July 1872, 'I have always been a friend to Delegeorges, but I prefer Greece to Delegeorges, and truth to Greece'), and Soteropoulos, the minister captured by 'the brigands of the Morea' in 1866, Phrearites, the rector of the university in 1864 (whose administrative ability he eulogized), and the Turkish minister, Photiades Bey, in 1868. At heart he loved Greece, although, as he wrote to Morris on 4 May 1872, 'You will hardly suspect me of being a violent enthusiast. Lord Byron said to me at Cephalonia in 1823 that I came to Greece even then with a very moderate dose of enthusiasm.' An article in the *Saturday Review*,² obviously written by Freeman, aptly described his attitude :

It is his special gift, and his special delight, to show up the weak side of all parties. Accidentally he shows up the weak side of the Greeks more than that of any other people. But that is simply because he lives among the Greeks. . . . Other people . . . are by no means let off. But those who can look below the surface can easily see that he is not at heart an enemy of Greece or of the Greek people. . . . The people among whom he lives are . . . to him as a son whom he loves, and towards whom he therefore never spares the rod.

In the *Pall Mall Gazette* ³ 'Xenos' wrote : 'He has often shown himself the true friend and sound adviser of the Greek people. But he is also . . . a most consistent and determined critic and satirist of all Greek governments in succession.' The Athenian *Μέλλον* ⁴ published an article addressed to him, in which, after saying that letters came from the Greek colonies abroad, complaining of his 'bitter' correspondence, it added that 'he does not really think what he writes', otherwise he would not reside in Athens. The *Ἐκλεκτική* ⁵ complained that he 'takes up sometimes the attitude of a Roman proconsul', asked why he had not left Greece, and suggested an epitaph for him :

Ἐνθάδε κείται τῆς Ἑλλάδος ὁ ἀσπονδος φίλος

Ἀεὶ ὑβρίζων καὶ φιλῶν μ' ἐχθρικώτατον χεῖλος.

But, in answer to this last article and to a violent attack on him in the *Μέριμνα*, provoked by his letter on the history of the Laurion question, the *Αἰών* ⁶ defended him in a noble article as a genuine Philhellene, not a flatterer. He was, of course, a doubly embittered man. He had lost money by his farming,

¹ *The Times*, 25 November 1871. Cf. Bagdon, *The Brigands of the Morea*, London, 1868.

² 19 September 1868.

³ 27 January 1871.

⁴ 2 April 1871 ; 16 November 1872 (o.s.).

⁵ 24 November 1867 (o.s.).

⁶ 20 November 1872 (o.s.).

and he wrote to J. C. McCoan on 30 June 1869: 'My works have proved a failure. They hardly sell at all.' A severe critic of himself, as of others, he did not realize that he was one of the greatest of historians. But his private letters—and this was characteristic of the man—were more favourable to Greece than his public utterances. Thus, he wrote to Morris on 18 March 1869, that his object in pointing out Greece's deficiencies was to induce the commercial Greeks of England to help their country. On 28 July he adds, 'I have spared neither labour, expense, nor unpleasantness to supply trustworthy information'. 'Your correspondent', he publicly protested,

is frequently assailed by hyperbolizing Hellenic patriots with the accusation that he calumniates Greece, when he does no more than report what Greeks themselves have published. . . . Your correspondent, however, does not hesitate to say, that if he has written a word of calumny against Greece, even though he should have done so unconsciously, he deserves the severest reprobation. . . . But it is his duty to lay before the public in England, as one of the Protecting Powers, correct information.'¹

'I send you letter after letter', he told Morris,² 'trying to persuade the Greeks to put their house in order, and I begin to flatter myself that, unpopular as I have made myself, it is now recognized that I have been useful.' His maxim should be that of all foreign correspondents, 'I feel that it is my duty to observe accurately and to report truly the opinions that produce and influence the events which are passing around me, not to advance opinions of my own'.³ 'As an old Philhellene', he confessed to Morris, 'I would fain do something to bring Greece up to the first rank.'⁴ In a private letter to Morris's successor, MacDonald,⁵ he pathetically laments: 'If the affairs of Greece excite no interest in England, I am thrown on evil days for myself and Greece. My deficiency in literary skill prevents my exercising any power in directing the thoughts of the Greeks to sound views of the material interests of the Greek kingdom.' 'The writer', he wrote on 3 April 1874, 'came to Greece more than fifty years ago, and he still ranks himself as a Philhellene. His object is to awaken public opinion' . . . and he hopes for the appearance of 'a statesman of a higher type . . . who will collect all Hellenic citizens into one party.' Such was M. Venizelos in 1910.

Finlay was a political economist and materialist, who failed to understand the sentimental side of Greek nationality. He stated his programme in a letter to Morris of 14 June 1873: 'I have been carrying on the same banner' (of trying to attract

¹ *The Times*, 6 July 1871.

² 2 December 1871.

³ *The Times*, 16 May 1872.

⁴ 27 March 1872.

⁵ 25 October 1873.

attention to agriculture) 'for forty years without finding a follower, but I fancy the hour has come and the man (he must be a Greek) may appear.' The key-note of his correspondence is bridges and roads, in order that agriculture may flourish, and brigandage be suppressed. He had no sympathy with 'the Great Idea'. 'The Greeks', he wrote in *The Times* of 10 June 1865, 'would infallibly become a great nation if they had no government and no great ideas.' But here he failed to put himself in the Greeks' place. Would Britons calmly stand still and do nothing for the liberation of any section of the British race which was subject to a foreign government? Why should patriotism be counted a virtue in a big empire and ridiculed in a small kingdom? There were, indeed, two exceptions to Finlay's attitude. He sympathized with the Cretan insurrection of 1841, and as early as 8 October 1850 he wrote to Colonel Leake:

It is a great pity that Great Britain cannot [cede] Cerigo, Zante, Cephalonia, Ithaca, Santa Maura and their dependencies to the Greek state. These islands detest us . . . they are really in a state of sedition which will last until they are reduced to silence by a tyrannical use of force or ceded to Greece, which they desire. Corfu . . . ought then to have only county or provincial and municipal governments and send deputies to the imperial parliament.

'Nothing in the [Ionian] Protectorate', he said in *The Times*,¹ 'became England like the leaving of it.' Nor was he under the least illusion, like some of his less experienced successors, about a reformed Turkey. He admitted to Colonel Leake on 18 December 1850: 'I once thought Turkey might recover, but I now see no chance except the Osmanlees turn republicans and admit the Christians to equal rights.' 'An improving Greece', he wrote to E. H. Noel on 29 October 1864, 'would do more to keep the eastern part of the Mediterranean quiet than half a dozen loans to support the Ottoman Empire.' But his thesis throughout was that 'the nation in European Turkey that first establishes good government will have the best chance of enlarging its territory'. Consequently he argued that the Greeks 'have now to choose between great ideas . . . and attention to internal improvements'. But 'no improvement is likely to be very great until the people feel the necessity of making roads and building bridges', while 'it suits the supporters of the integrity of the Ottoman Empire that Greece should remain stationary . . . ; and it suits the Bulgarians, Servians and Wallachians, as well as the Russians, that Greece should be in a state of paralysis at the solution of the Eastern question.'² In 1867 he wrote: 'The

¹ 10 June 1870.

² *The Times*, 19 February 1869; 22 October 1870; 10 December 1864.

Ottoman Government is relatively strong, but it is growing weaker. . . . The Greek nation, though still comparatively weak, is rapidly growing stronger. The British Government 'can no longer 'overlook the fact that the hour is at hand when the interests of all Europe will call into existence a Greek state sufficiently powerful to take up an independent position in the eastern part of the Mediterranean', a prophecy verified in 1912. 'Britannia cherishes a pleasing illusion, if she supposes that Greek affairs will, for any length of time, allow her to "rest and be thankful"'.¹

As a landowner himself, Finlay considered the system of tenths as a great obstacle to agriculture. 'Cereal crops', he wrote, 'are cultivated in 1873 in the same rude manner as in 1833', as a result of this system. But 'urban agriculture'—currants, vines, olives, figs, and mulberries—flourishes; and 'should the land-tax be abolished in 1873, even at this hour' the Greeks 'may again become the leaders of progress in the East'.² 'Cereals', he declared on 3 April 1874, 'continue to be cultivated in Greece as they were in the time of Hesiod.' When the tithe was temporarily reduced to one-twentieth, there was little relief, because the real evil was not the amount, but the incidence, of the tax. In an article on 'The Land Question in Greece', he states the problem: how to grow corn on the uncultivated land. 'About one-fifth of the land capable of tillage lies waste', while 'Greece imports annually considerable supplies of corn from the Black Sea.' He concludes: 'The answer to the land question . . . is that *the tenth must be immediately and absolutely abolished*.'³ And in a draft letter to the British minister, Erskine, dated 30 October 1869, he wrote: 'the results of my own experience as a landed proprietor and farmer in Attica are that no landlord would drive from his holding a tenant . . . for there is very great difficulty in obtaining tenants, since *no* man ever goes from the town to the country.' Progress depended, he said elsewhere, on the country Greeks, for 'better ploughs are more wanted than better speeches'. He welcomes King George's purchase of Dekeleia in 1872 as 'a step in the right direction', adding that 'he may now connect . . . the injuries inflicted on Athens by the Spartan encampment on his property with an example of the benefits which modern scientific husbandry can confer on Greece'.⁴

That amiable monarch did not escape the criticism of the modern Aristarchos.

¹ *The Times*, 14 March 1867; *Saturday Review*, 20 May 1865.

² 'Greece, as it is, and might have been', *The Times*, 12 September, 18 October 1873.

³ *Ibid.*, 1 March 1870.

⁴ *Ibid.*, 15 May 1869; 8 April 1868; 12 July 1872.

The choice of a boy [he wrote in 1864] was bad. . . . King George performs no duty. . . . He is said to have an active and intelligent mind, but his education appears to have been either neglected or mismanaged. He knows little of Greece past or present, nothing at all of political science or the practice of administration, and has no desire to learn. . . . All agree that King George is very idle. He thinks seriously of nothing but amusing himself, and his only intellectual pursuit is reading the novels of Paul de Kock and Alexander Dumas. . . . But he has done England a very great service. . . . He has kicked English policy out of his palace quite as decidedly and openly as ever King Otho did.

Of Count Sponneck, the king's Danish adviser, whose 'departure' he describes as 'a subject of almost genuine satisfaction', he adds that he is 'an irresponsible Prime Minister . . . a conceited and presumptuous man with no great experience and a very limited capacity', and animated by 'animosity to England'.¹ In a letter to Morris of 10 May 1866 he mentions the king's 'utter indifference to classic feelings and his profound ignorance of Greek history. He did not go to see either the Gate of the Lions and the Treasury of Atreus at Mycenae or the so-called tomb of Leonidas at Sparta.' But he characteristically adds—and M. Venizelos has said the same—'It is no harm to put Thermopylae, Marathon, and "our ancestors" a little in the background.' Still, he describes the enthusiasm of the people on the king's arrival with his Russian bride: 'When the Queen made the sign of the cross in the orthodox manner, many of the spectators shed tears of joy.' 'Royalty', he wrote nearly a year later, 'is extremely popular throughout the country. The people are everywhere proud of the alliance with the Imperial house of Russia. . . . The orthodoxy of the dynasty has become a guarantee for its permanency.'² Finlay did not consider the Greeks a changeable people. Commenting on Delegeorges's renewed election to the speakership, he wrote: 'When the Greeks find a man who is able and honest in the public service, they do not appear to be more fickle than other nations.' And again: 'Those who consider inconstancy a national defect of the Greeks are, I think, mistaken. On the contrary, they are eminently what may be called a conservative people.'³ Finlay thought that they 'are unfitted both by nature and circumstances for any but a constitutional government'; but they 'generally agree that their King must govern as well as reign', for they 'look to their King for protection against the evils of centralization', as being 'the only functionary in the Government

¹ *Daily News*, 23 August 1864; *The Times*, 28 November 1865. Sponneck's p.p.c. card is pasted in opposite this article!

² *The Times*, 7 December 1867; 16 November 1868.

³ *Ibid.*, 6 August, 5 November 1864.

whose interests . . . are always directly and indissolubly identical with the interests of the people'. 'Without a strong personal support from the King', he wrote in 1868, 'every Ministry in Greece is paralysed'; he urges that the king should enforce the laws, and records how the king in 1865 ordered his intriguing uncle, Prince Julius, 'to quit Greece before the end of the week', declaring: 'I will allow no one . . . to interfere in the affairs of our country.'¹

The Greek Republicans of to-day desire a senate; but Finlay was opposed to a second chamber, for 'no class of society exists from which an unpaid Senate can be formed, for the ablest and the wealthiest men in the country prefer a seat in the Chamber. . . . A Senate can, therefore, be little else than a hospital for worn-out officials'. 'An Upper House could not be formed with a feeling of independence.'² He would have approved of the abolition of the British Protectorate by the annex to the treaty of Sèvres, which he advocated fifty years earlier. 'The improvements which the Greeks have made in their country have not followed from protection', which 'has allowed them to neglect almost every subject connected with material improvements.' 'The Foreign Office deemed that it knew what Greece required better than the Greeks.' The last words of his last letter to *The Times* were in the same sense: 'Nothing can now be done for Greece except by the Greeks themselves. Their future, politically and socially, is entirely in their own hands.'³

Many letters deal with the Cretan insurrection of 1866-9. At first Finlay could not find 'that much real enthusiasm exists at Athens. No Greek of eminence has joined the ranks of the insurgents'. He preached his favourite doctrine that 'Good government ought to precede any extension of the limits of the Greek kingdom on the Continent'. But that, he adds, is 'not equally conclusive against the annexation of Crete. The municipal institutions of the Cretans . . . would enable it to put a check on the corruption of the central government at Athens'. But he feared 'that the liberation of Crete will be delayed instead of accelerated by this insurrection, which I cannot help regarding as premature and ill-timed'. He appealed, however, for the sufferers, and was a member of the Athens committee of the 'Candian Refugees' Relief Fund'. In 1867 he recognized the 'thoroughness in the way the whole Greek nation is working for the liberation of Crete', described the enthusiasm at the arrival of Ricciotti Garibaldi, and pointed to the exemption of

¹ *The Times*, 7 July 1864 (in MS.); 16 January, 16 February, 5 August 1865; 24 February 1868; 15 May 1869; 16 May 1872.

² *Ibid.*, 30 September 1864; 2 July 1869.

³ *Ibid.*, 8 July, 22 October, 10 June 1870; 8 August 1874.

Crete from brigandage, 'not yet a Cretan institution'. But he saw that 'neither party is strong enough to put an end to the war', and truly prophesied that 'annexation to Greece can alone bring peace to Crete'. But 'the Sultan knows that he could not purchase tranquillity by the cession of Crete, unless he yielded up Thessaly and Epirus at the same time'. He sarcastically suggested that Russia should induce him to cede Crete to Greece in return for the money which she had raised from the sale of Alaska! He told Morris that 'the young King is very warlike. . . . He counts on Russian support with great confidence'; but sums up with the remark that 'even a sincere Philhellene may doubt whether the year 1866 was wisely selected as a suitable time'.¹ He had, however, little first-hand knowledge of the insurrection, for he paid only two flying visits of two days each to Crete, where, at Canea, he met Stillman, afterwards *The Times*' correspondent and historian of the insurrection, then U.S.A. consul and 'an enthusiastic partisan of the insurgents'.² Finlay wrote in 1868 and revised to May 1869 a very long article, 'The History of the Insurrection in Crete', for *The Times*. It was never published, but exists in proof in the folio, 'Affairs of Greece from 1868 to 1870'.

The capture of Lord Muncaster and his party by brigands at Pikermi in 1870, where Kitzos had murdered the parish priest of Marathon in 1865, gave Finlay an opportunity for a series of articles on that plague. But his slowness in writing about an event which excited such interest in England called down upon him the censure of the manager, who complained that he had not telegraphed; 'we have been much disappointed,' for the paper had been outdistanced by some other journals. Finlay replied:

I am to blame for neglect, but my health and my age (I am past 70) make me often behind time. They warned me last year that I had no longer the activity required to make a good correspondent and an active agent in collecting news, and I think I informed you of my doubts whether I could fill the place of your correspondent competently. But not seeing anybody here that I thought could do better, I dragged on. . . . I seek to find the truth and my information must be late.

He did not realize that the public, which is 'the great sophist', prefers immediate to accurate news, a hasty telegram to a documented article.³ Besides, he was beginning to see that journalism is not for the old. 'The Times does not place implicit confidence in my powers of observation', he wrote on 16 May 1872. On 1 February 1873 he wrote to Morris: 'My health

¹ *The Times*, 6, 20 October, 28 December 1866; 1 April, 24 May, 20 June, 6 September 1867; 5 September 1868.

² 'Journal', pp. 180-7.

³ Letter of 12 May 1870.

continues to decline and I fear that I shall not be able to write often.' During the summers he was often in Switzerland and hardly wrote at all, and in 1874 he published only four letters. On 14 June 1873 he confessed to the manager: 'I have not written to *The Times* lately. Perhaps the state of my health makes me apathetic.' He had, however, contributed one article to the *Levant Herald* of 2 December 1868 with the remark: 'I am anxious that my writing in the *Levant Herald* should be concealed'; and published in the *Ἐφημερὶς τῶν Συζητήσεων* of Athens of 7 and 9 April 1871 (o.s.) two Greek letters in reply to Col. Theagenes about the 'Marathon Massacres'.

Finlay discussed the causes of brigandage *con amore*. He set out in the *Saturday Review*¹ a list of the Englishmen captured, ransomed, or murdered since Greece became a monarchy—Bishop Wordsworth and Robertson at Dekeleia, Pratt and Ross at Marathon, Penrose and Church at Pheneus, E. H. Noel in his house at Achmetaga, H. Leeves and his wife also in Euboea, Lord John Hervey, Strutt, and Coore in Akarnania in 1865, and now Lord Muncaster's party. He traced the recrudescence of brigandage to the return of armed bands from Crete, and declared that it 'can only be eradicated by making agricultural labour more profitable'. 'Until roads are made, brigandage cannot be extirpated.' Its real causes were the waterless and woodless mountains, which substituted goatherds for shepherds, 'and a goatherd is a ruder man than a shepherd'; thus 'there is only one way for the mountaineer to raise himself in life. . . . He can become a *klepht*'. On the eve of the Marathon affair, he wrote that 'with better order in the country, Greece, by her splendid scenery and picturesque island seas, might attract travellers . . . and become a home of tourists', 'the winter Switzerland of Europe', and that 'an active and judicious Demarch might contribute greatly towards making Athens a choice winter resort'.² He had, therefore, hailed the opening on 10 March 1869 of the first Greek railway—that from Athens to the Piræus—'the first undertaking of an English company in Greece', whereas in the same month the king, touring in the Peloponnese, took ten days to ride 250 miles.³ But he opposed the projected line to Lamia and the then Turkish frontier, which was to connect Greece ultimately—in 1916—with the European railway system. He argued that only the portion of the line as far as Levadeia would pay until the Turks made the connexion with Macedonia, and derided the subsequently realized 'visions of quick

¹ 6 May 1871. Cf. *The Times*, 25, 30 December 1865; Wyse, *Impressions of Greece*, pp. 38–40; Senior, *Journal*, p. 340, where 'S.T.R.' is Finlay.

² *The Times*, 2, 14, 29 April, 19, 27 May, 20 June 1870; 25 November 1871.

³ *Ibid.*, 22 January, 26 March 1869.

trains from Calais . . . running direct to the Piraeus'.¹ He considered the project of cutting the isthmus more important ; he declared that ' the strength of the Greek race lies in its maritime population ', and strongly advocated the abolition of the ' Greek Navigation Act ', which ' has driven the Austrian steamers from the passage through Greece to Constantinople by the Gulfs of Corinth and Athens, and excluded the French steamers from the trade to Volo and Salonika by the channel of Euboea . . . and excludes many Greek islands . . . from the benefits of steam '.²

After the abortive Cretan insurrection Greek attention was diverted to industrial enterprise. The last years of his correspondence were, therefore, largely occupied with the question of the Laurion mineral concessions, in which he took up an attitude favourable to the foreign *cessionnaires* and hostile to the Greek government. ' Greece ', he wrote on 6 July 1871, ' is at present under the hallucination caused by the delirium of a mining fever.' He states the issue ' whether this unsmelted ore is not national property though it lies on the surface, and whether it is not from its position excluded from the mining concession granted to the Marseilles company ', Roux, Serpieri & Co., who ' have created a new town '. For the time the ' Great Idea ' had retired into the background ; Greece, he wrote on 15 December, has ' ceased to harass Turkey. . . . Public attention at Athens is now directed to material improvements '—' mining and railways '—and on 6 November 1872 he gave a long history of the question. He deplored the quarrel with the Bulgarians on the erection of the Bulgarian exarchate, about which he had written an elaborate historical article in the *Saturday Review* of 17 April 1869. A manuscript note appended to his copy says : ' The author was induced to write this paper from observing the numerous errors of Greek and English newspapers concerning the history of the ecclesiastical dispute between the Greeks and Bulgarians.' He truly foresaw that ' much ecclesiastical and political rancour will be engendered ', but failed to grasp the fact that an independent Bulgaria would revolt against Russian protection. One of his truest prophecies was made during the Franco-German war of 1870, which, he thought, ' will initiate great changes in the East as well as the West. . . . German colonists by their industry and capital may people the waste lands and develop the agricultural resources of Turkey '. He regarded municipal government as far more useful than the central authority. Thus, he considered the first election of mayors and municipal councillors in 1866 as ' the most important event in the history of Greece that has occurred since the revolution of

¹ *The Times*, 6 July, 17 October 1871 ; 19 January 1874.

² *Saturday Review*, 21 July 1866 ; *The Times*, 27 March 1872.

1862'. But he found in 1870 that, even under an elective system, the municipalities were still under the influence of the ministers. In 1868, however, he commented on the general election with—for him—unusual optimism: 'No one', he wrote, 'could witness the behaviour of the people without feeling that there exists in Greece a good foundation for free institutions.' But he was opposed to *scrutin de liste* over wide areas—now abandoned in Greece—for 'universal suffrage, when exercised in extensive districts, swamps personal character and local interests, and drives men to think of revolutions when they only seek reforms'. In one of his last articles he expressed the opinion that 'The political organization of the Hellenic kingdom . . . entitles it to take a place, and not the lowest place, among the constitutional states of Europe. The Greeks made a trial of Republican anarchy . . . after the assassination of Capodistrias, and of absolute government. . . . Neither answered.'¹ His last article, alluding to the famous article (Τίς πταίει;) of the younger Trikoupes, directed against the monarchy, contains a frank criticism of that great statesman; after accusing him of *trop de zèle* as a diplomatist, he added that 'were it not for this political ineptitude, the high personal character of M. Trikoupes would ensure him a respectable position in the government of his country'. This it did.

Finlay's journalistic work surprises a modern colleague by its omissions. A correspondent at Athens or Rome—and the writer has acted in that capacity at both cities—is expected to send archaeological information to his paper. Finlay sent none to *The Times* and very little to the *Athenaeum*, although he was interested in the subject. He told his readers nothing about modern Greek literature, and wisely abstained, as every foreigner, however learned, should, from discussing the language question. There Germans rush in, though others fear to tread; witness Krumbacher. Yet he was unusually mild towards the intellectual side of Greek life. In an unpublished letter to *The Times*² he admitted that 'the University possesses some materials of good quality . . .' though 'the politics of professors' were 'more attended to than their qualifications for teaching', and 'party spirit has been a surer means of obtaining a professor's chair than devotion to science'. He chronicled the 'change for the better'. Halls, formerly used as a legislative assembly, were now given up to natural history collections; 'the credit of the University has been restored, the archives have been put in order, the students have ceased to make politics and soldiering their only objects of study'. On 31 October 1864 he chronicled in *The Times* the recent completion of the university buildings, after 'the halls' had been 'occupied by government and used as places of meeting

¹ *The Times*, 19 January 1874.

² Dated 19 May 1864.

for the Senate and Chamber for nine years'. Bernardakes, he added, had given £5,000. The 'intellectual progress of Greece', he wrote in 1869, 'is universally acknowledged'. He praised the Greek press. 'The political papers', he wrote in the unpublished article quoted above,

offer the most promising aspect of Greek politics; there is no want of *ἔρεα πρεπόνητα*. . . . The late revolution has furnished conclusive evidence that the liberty of the press has produced beneficent effects. . . . The press has displayed more prudence than the senators and more discipline than the army. . . . 27 political newspapers are now published at Athens and some of them appear five times a week; 8 literary or scientific periodicals appear also monthly or twice a month. . . . The provincial press in Greece need not shrink from a comparison with the provincial press in any part of Europe.

In 1869 there were forty-one daily and weekly papers, and six weekly literary and scientific journals at Athens and nine at Patras. In the whole kingdom there were ninety newspapers and literary journals, including six at Syra.¹ He alludes to the splendid collection of medieval coins belonging to Paulos Lampros, and in 1873 again praised the university, as well as the higher tribunals, the lawyers, and the doctors, while continuing to deplore the condition of agriculture. He considers schools of agriculture futile, as long as the existing system of taxes continued, and quoted the failure of the school established by Capo d'Istria at Tiryns. 'The first nation in the East which can make agriculture profitable . . . will have solved the Eastern question'—such was, in 1867, his solution for an insoluble problem. After half a century's experience of Greece, he expressed the comforting opinion, which later events confirm, that 'the Greeks have a deep-seated sympathy with English institutions'.

Such was Finlay's work as a journalist. Not a descriptive writer, not an alert collector of news, he was a thinker who looked at passing events from the point of view of an economist. To-day such a correspondence as he sent from Athens would be impossible from anywhere; no country would tolerate so persistent a critic; no editor would print such long disquisitions. Finlay was a prophet, but a prophet resident in a country which he sometimes forgot was not his own. With more tact he might have effected more good. As his most distinguished successor, the late J. D. Bouchier, once said to the writer: 'if I were to write all that I could about the states of south-eastern Europe, I could not live in any of them.'

WILLIAM MILLER.

¹ *The Times*, 8 December 1869.

COMPLETE LIST OF FINLAY'S NEWSPAPER ARTICLES

- (a) An unidentified Scottish journal. A letter published soon after 15 December 1827. (The introduction alludes to the 'little work [of 26 pp.] on the political and military state of Greece', which is preserved among his manuscripts.)
- (b) *The Scotsman*. Two letters from Aegina, published 14 May, 1 November 1828, the former anonymous, the latter signed 'F.'
- (c) 'Αθῆνᾱ of Nauplia. Three Greek letters, signed Προμηθεΐς, two addressed to A. Mavrokordatos and one to G. Psyllas, and published 12/24 June, and 19 June/1 July, 7/19 July 1833. (A fourth, extant in manuscript, was never published owing to the stopping of the newspaper for nine months.) Another letter, signed 'I', on 'Our relations with Great Britain', was published in this journal, when transferred to Athens, on 7/19 September 1839.
- (d) *The Morning Herald*. Ten letters, signed 'Φ', 'Phylax', or anonymous, published on 2, 15 July, 5 November, 1839; 3 February, 13 April 1840; 28 July 1842; 28 January, 17, 23 June, 8 July 1845.
- (e) *The Morning Chronicle*. One letter, signed 'G. F.' on 'Land in Greece', alluding to the occupation of his land for the printing-press, and the taking of his water for the Botanical Garden, and published on 23 October 1839.
- (f) *Malta Times, or Sheet of the Mediterranean*. Article on 'An Important Section of the Eastern Question', published 15 May 1840 and signed 'Phylax'.
- (g) *The Athenaeum*. Eight signed articles on archaeology, published 5 August 1843; 2 August 1851; 3 March 1860; 17 May 1862; 3 August 1867; 19 June 1869; 22 April 1871; 31 August 1872.
- (h) *The Edinburgh Witness*. Signed letter, published 23 June 1852, on 'American Missionaries in Greece'.
- (i) *The Spectator*. Two signed letters, published 8 November, 29 December 1856.
- (j) *The London Evening Star* of 19 December 1857. Unsigned letter on Indian affairs.
- (k) *The Saturday Review*. Twenty-one unsigned articles, published 2 May, 8, 15 November 1862; 25 July 1863; 20 May, 19 August, 30 September 1865; 21 July 1866; 10 August, 5 October, 26 December 1867; 11 January, 29 February, 9, 30 May, 29 August 1868; 6 February, 17 April 1869; 8 January, 31 December 1870; 6 May 1871.
- (l) *The Daily News*. 'Obstacles to the Progress of Greece' (a 'Memoir of the Municipal Institutions, and on the causes of the rude condition of agriculture in Greece'): a long signed article, published 6 January 1863. Also two letters to Freeman, published 23 August 1864, 'without his authority and . . . much to his regret', and republished in *Galignani's Messenger* of 26 August 1864.
- (m) *The Times*. Two signed letters on his claim against the Greek government, published 11 April 1850 and on 'Passports in the Mediterranean', published 20 July 1853. 142 unsigned articles as Athens

correspondent, published between 12 May 1864 and 8 August 1874, viz.

1864. 12, 17 May ; 6 August, 10, 30 September, 22, 31 October, 2, 5, 28 November, 10, 26 December.

1865. 16, 27 January, 14, 16 February, 15 April, 8 May, 10, 27 June, 5 August, 27 October, 3, 10, 28 November, 1, 8, 25, 30 December.

1866. 9 January, 21 February, 9 March, 6 April, 19 June, 25 August, 24 September, 6, 20 October, 3, 12, 17 November, 4, 8, 24, 28 December.

1867. 15, 26 January, 2, 22 February, 14 March, 1, 19 April, 6, 11, 24 May ; 1, 20 June, 1, 19 July, 5, 9, 17, 31 August, 6, 20 September, 19 October, 13, 23 November, 7, 26 December.

1868. 11 January, 8, 24 February, 8, 9, 17 April, 5 September, 16 November, 11, 18, 25 December.

1869. 8, 16, 22 January, 5, 19 February, 15, 26 March, 19 April, 15 May, 18 June, 2 July, 23 September, 23 October, 13 November, 8 December.

1870. 3, 24 January, 21 February, 1, 14 March, 2, 14, 29 April, 6, 19, 27 May, 3, 10, 20 June, 8 July, 1, 6 August, 22 October, 8 December.

1871. 4, 18 January, 2, 23 March, 6 July, 17, 19 October, 25 November, 15 December.

1872. 3, 27 January, 27 March, 16 May, 12 July, 8 August, 16 October, 6 November.

1873. 25 February, 11, 31 March, 12 September, 18 October, 21 November.

1874. 19 January, 3 April, 16 June, 8 August.

(Twenty-four other articles, unpublished, are preserved.)

(n) *The Levant Herald*. (' I am anxious that my writing in the *Levant Herald* should be concealed.') 2 December 1868.

(o) *Ἐφημερίς τῶν Συζητήσεων* of Athens. Two Greek letters in reply to Col. Theagenes about the ' Marathon Massacres ', published 7/19, 9/21 April 1871.

Notes and Documents

An East Anglian Shire-moot of Stephen's reign, 1148-53

THE following fragment of a Bury St. Edmunds chronicle was paraphrased by Blomefield in his *History of Norfolk*,¹ and has been cited by Dr. Jessopp,² Mr. Howlett,³ and Dr. Round,⁴ none of whom, however, traced the original. Blomefield's reference runs 'E Registro Chartarum Abb. St. E. fo. 60. In veteri etiam Registro intratur.' The manuscript is in fact the volume of the *Registrum Rubrum*, which is numbered Ff. 2. 29 in the Cambridge University Library. It is one of the series of Bury registers which were in the possession of the Bacon family when Blomefield consulted them, and are now mostly distributed between the British Museum and the Cambridge University Library. It is throughout in one hand of the fifteenth century, the latest recorded date being 6 Henry V.

The extract is of considerable interest, both for the local details which Dr. Round has noted, and for the light which, as Mr. Howlett indicated, it throws on central and local administration and justice in the reign of Stephen. In some points the original Latin rectifies Blomefield's very free paraphrase,⁵ which obscures the fact that William Martel is called the king's justice, whilst fathering on Stephen a constitutional theory which the text hardly warrants. As to the date, the siege of Bedford occurred in 1145 or 1146, Ording became abbot of Bury in 1148, and Daniel, abbot of St. Benet of Holme, died in 1153, so that a date soon after 1148 may be safely accepted for the joint shire-moot, which would thus fall in the only peaceful period of the reign.⁶ I have been unable to trace any reference to the affair in the *Album siue Vetus Registrum* (Brit. Mus. Add. MS. 14847), another Bacon manuscript; but that register, in common with several others, contains the following short charter of Stephen's which

¹ First edition (1739), ii. 19-20.

² *Life of St. William of Norwich*, p. xxxii.

³ *Chronicles of the Reigns of Stephen, Henry II, and Richard I* [Rolls Series], iii. xxxv-vii.

⁴ *Ante*, xxxv. 488-9.

⁵ See below, p. 570, nn. 1, 2.

⁶ Howlett *op. cit.*

may be connected with the case of the two knights and appears to belong to the end of the reign.¹

Stephanus Rex Anglie W. filio Walteri et Ade de Bolney salutem. Prohibeo vobis ne paciamini homines Sancti Eadmundi et nominatim seruientes extra curiam Sancti Eadmundi placitare quia nolo quod iniuste placitant nisi ubi placitare debent et solent. T. . . .²

Dr. M. R. James's list³ of the manuscripts formerly possessed by the abbey of Bury St. Edmunds does not include any volume answering to the description of the *psalterium capelle* from which the writer of the *Registrum Rubrum* copied the passage, but as, naturally, only a minority of the two thousand books which Dr. James assigns to the abbey library are traceable, this does not discredit the story, which seems in all its verifiable details consistent with the known facts.⁴

HELEN M. CAM.

Cambridge University Library MS. Fl. 2. 29, fo. 60.

Regnante nobilissimo Rege Stephano quodam tempore iubente eodem Rege conuocati sunt duo comitatus de Norfolke et de sutfolke ut venissent ante eum die statuto apud Norwycum. Quibus congregatis in orto Episcopi sedit pro tribunali Willelmus Martel Regis Dapifer prefectoria dignitate discussurus negocia que ad rempublicam pertinebant. Intererant autem causis venerabiles persone Nigellus Eliensis Episcopus et Willelmus⁵ Norwycensis Episcopus et venerabilis Abbas ecclesie sancti Edmundi Ordingus et Daniel Abbas Holmensis et quam plures de Baronibus prouincie, videlicet Walterus filius Roberti Regis Dapifer et Robertus de Ver Regis constabularius et Reginaldus de Warenne et Fulko de Oilly et Hugo filio Eudonis et Willelmus de Chetneye filio Roberti et Henricus de Ry. Hiis igitur et multis aliis probis et prudentibus viris et concionatoribus in concione residentibus accesserunt duo curiales videlicet Jordanus de Blossuyle et Ricardus de Waldari, duxeruntque secum quendam iuuenem nomine Herbertum statuantes eum in media concione coram omnibus. Tunc Jordanus sic exorsus ait: Domini et fideles Regis, intendite quid iste iuuenis quem hic videtis regi intimauerit. Dicit se preterito anno fuisse cum Roberto filio Guiberti et ei seruiuisse. Contigit autem quod dominus Rex noster quodam tempore congregato exercitu iuit super hostes suos qui castellum et ciuitatem suam de Bedefford contra eum tenebant, ubi cum quodam die colloquium habuisset cum baronibus suis in pratis iuxta ciuitatem erat predictus Robertus in eodem exercitu et Adam de Hornynggysheerth ubi, ut iste iuuenis astruit, habuerunt ille Robertus

¹ Adam of Boulogne or Bolney occurs in the two charters of 1148-54. See *ante*, xxiv. 431. Walter fitzWalter is mentioned in the narrative as the king's *dapifer*.

² Add. MS. 14847, fo. 36. Printed *ante*, xxiv. 430.

³ *Cambridge Antiquarian Society's Octavo Publications*, vol. xxviii (1895).

⁴ Besides Dr. Round's identifications, it is worth noting that the two last charters granted by Stephen to the abbey (see *ante*, xxiv. 431) are dated at Bury St. Edmunds, which fits in with the account of Stephen's visit there after the abbot had successfully claimed his court.

⁵ Blomefield: 'William Turb, Bishop of Norwich.'

et Ada colloquium et consilium cum inimicis Regis, videlicet cum Radulpho de Halstede et Rogero fratre suo, de tradicionem et morte Regis, qui latenter exierant de ciuitate et venerant ad eos. Ibi et commutauerunt equos suos clipeos et sellas.¹ Quod si illi negare et defendere voluerint presto est iste iuuenis ut eos probet. Unde dominus Rex precepit ut predicti milites audiantur, et secundum responsum eorum iudicium ei faciatis. Quod ut audiuit dompnus Abbas ecclesie beati Edmundi ilico erigens se in pedes et conuersus ad iusticiam et ad episcopos et ad barones et ad totam concionem ait: Domini et amici, milites de quibus agitur sunt homines beati Edmundi Regis et martiris et nostre ecclesie, nec istam loquelam siue calumpniam unquam antea audiui, et ut priuilegia et munimenta ecclesie nostre testantur ista loquela debet tractari et deduci in curia beati Edmundi et ecclesie nostre. Quare precor ut pro amore sancti Edmundi sustineatis de iudicio faciendo super hac re donec cum domino Rege loquar. Spero enim in virtute dei et spiritus sancti quod dominus Rex nichil auferet beato Edmundo nec aliquid minuet de iure et libertate nostre ecclesie. Quo concesso, dompnus Abbas sumptis amicis et monachis et Baronibus ecclesie sue dominum Regem adiuit, et ostensis sibi priuilegiis et munimentis ecclesie super hac re suppliciter eum requisiiuit. Cui Rex:² Deferantur, ait, priuilegia ad iusticiam meam et ad comitatus, et ibi legantur, et quicquid iuris uel libertatis Barones de comitatibus testificabuntur quod sanctus Edmundus debeat habere de ista loquela siue de alia concedo et volo ut habeat sine subtraccione siue diminucione. Perlatis proinde priuilegiis ad comitatus, et in publico recitatis, ceperunt diuersi diuersa dicere. Quod ut comperit Herueus de Glamuyle protinus exiliens et stans in medio ait: Probi et prudentissimi viri, diu est quod caritas³ beati Edmundi que hic lecte fuerunt modo primitus audiui, et semper fuerunt auctoritate usque in hodiernum diem. Volo igitur ut sciatis quod ego sum, sicut videtis, proueccioris etatis homo, et reminiscor multarum rerum que euenerunt tempore Henrici Regis et antea, quando iusticia et rectum, pax et fidelitas floruerunt in Anglia. Verum quia hoc in tempore urgente bello iusticia aufugit et leges siluerunt, libertates ecclesiarum sicut cetera bona multis in locis deperierunt. Verumtamen pro certo dico, testificor, et astruo quod transacti sunt quinquaginta anni quod primitus cepi frequentare centuriatus et comitatus cum patre meo, antequam casatus essem, et postea usque modo. Quocienscunque autem aliqua loquela de aliquo homine de viii hundredis et dimidio cuiuscunque homo esset in comitatibus exorta fuisset, Abbas sancti Edmundi siue dapifer eius et ministri illius

¹ Blomefield: 'And changed Horses, Shields and Sadles, with the said *Rob.* and *Adam*, in order under Colour thereof, to come at any time into the King's Army, to put in Execution whatever should be agreed upon, and that this Youth was there ready to prove it, for which Reason the King had sent him down to hear the Matter, that the two Knights might be lawfully heard and judged by their Country.'

² Blomefield: 'Upon which the King said, that all justice originally belonged to the *County* and *Court* there, and therefore he sent them back to the *County* and *Council* they came from, and whatever they did as to allowing the liberties or not, he would stand by it: returning therefore to *Norwich*, they produced their Charters and Liberties to the *Shire-Mote* of the County or *County-Court*, upon which Sir *Hervey de Glanvil* rose, &c.'

³ Read *cartas*.

deracionando loquelam tulerunt secum ad curiam sancti Edmundi, ibique deducebatur qualiscunque loquela siue calumpnia fuisset, excepto thesauro et mурdro. Hiis itaque auditis, episcopi prefati et barones prenominati assenserunt, et cum illis Rogerius Gulafre et Willelmus Frehnei qui tunc temporis erant vicecomites, et Herueus filius Heruei, et Robertus de Glamuille et multi alii de honore de Warrenne et de honore Comitum Hugonis¹ et de honore de Eye hoc idem attestati sunt. Barones igitur presentauerunt Willelmo Martel Iusticie Regis testimonium quod prohibitum erat de iure et libertate ecclesie sancti Edmundi. Willelmus autem, sumptis quibusdam de Baronibus, notificauit regi per ordinem totum testimonium baronum et comitatum. Quod ut Rex audiuit, iussit ut testimonium foret ratum et inconcussum, mandauitque Abbati ut sibi diem poneret in curia sua et ut sibi rectum faceret de predictis hominibus suis. Quod et Abbas fecit. Eodem etiam die, eodem loco, et in eodem concione venit Walterus Roberti filius Regis dapifer a Rege ad iusticiam, et fecit querimoniam de Willelmo de How, quod vastasset warennam eius de Hemenhale, et ad exaggerandam querimoniam suam fecit deferri reciacula que ministri eius repperant in warennam suam super homines predicti Willelmi. Quod ut Abbas audiuit, eadem auctoritate et eadem deracionacione qua supradictam loquelam detinuit obtinuit et istam. Post paucos igitur dies venit Rex ad sanctum Edmundum ubi Abbas consilio fo. 60d. Baronum ecclesie et auxilio Baronum Regis predictos suos milites cum Rege et Willelmo de How cum Waltero pacificauit.² Hec itaque scripta sunt ne posteros lateat quanta sit libertas ecclesie Sancti Edmundi, quam constanter et quam viriliter et prelati et probi viri qui fuerunt in ecclesia laborauerunt pro eadem libertate manutenenda et conseruanda.

Et sciendum quod ista cronica prescripta clare patet in psalterio capelle domini Abbatis usualiter iacente coram eodem.

*William Duncombe's 'Summary Report' of his
Mission to Sweden, 1689-92.*

WILLIAM III, established in England, set about gathering further force against Louis XIV, and no troops were more desirable than Swedes and Danes. Before they could be obtained, however, the latest outbreak of the eternal Sleswick-Holstein quarrel had to be composed. In June 1689 Swedes and Lüneburgers were actually marching to support Duke Christian Albert of Holstein-Gottorp against his Danish brother-in-law Christian V. War between Sweden and Denmark seemed imminent, and that would seriously interfere with William's plans. He sent to Stockholm William Duncombe, whose report on the termination of his

¹ Blomefield: 'Earl Hugh Bygod.'

² Blomefield adds: 'which is worth observation, as it shows us, how speedily and well Justice was administered even in those troublesome times, as well as the Authority of the *Shire-Motes*, *County*, and *Hundred courts*, which were the Fountains of all Justice, and so much valued, that the King himself referred Justice to them.'

mission is here presented, and to Copenhagen Robert Molesworth; the two similarly instructed in the matter, save that threat of armed intervention was to be made by the former delicately but by the latter forcibly.¹

Before either envoy could reach his post the threatened war was averted by the signature of the treaty of Altona, on 10/20 July 1689. Thereon they could turn to their further commissions, to make treaties and procure troops. Success attended Molesworth's efforts; Christian V was found ready to hire out his soldiers, if at a price which William III found hard to accept, and they did valiant service in Ireland in 1690 and 1691 and afterwards in the Netherlands. Duncombe was not so fortunate; neither could he engage Swedish troops, nor carry out his commission to negotiate treaties of alliance and commerce. Ostensibly, by his report, it was the grievances arising from the sea-powers' prohibition of trade with France (August 1689)² that defeated him, but the 'fundamentall reason' was the sense of Charles XI and of his great minister, Bengt Oxenstierna, of the injury which implication in war would do to their trenchant work of domestic reform. Besides which, Charles had seen war in his youth, and such war as determined him for the future to avoid it. Duncombe had to return to England in 1692 with nothing done, and during the remainder of the reign of Charles XI his afterwards famous secretary, John Robinson, had no better success.

On the other hand, neither was Charles to be won by Louis XIV for all the pressure of the powerful French party at Stockholm—Duncombe names its leaders. In truth, the results of his former fighting on the side of France, and of the peace which followed, had disgusted him with all that was French. And Oxenstierna, designated both by William III and by Louis XIV as the man without whom nothing could be done, was with him in that sentiment.

About Duncombe himself—there was more than one named William—the present writer has been able to find only that in 1693 he was appointed one of the lords justices in Ireland, and that at his death in April 1704 he held the post of comptroller-general of army accounts. There is indication in his dispatches that he was kin to the wealthy banker, Charles Duncombe, lord mayor of London 1708/9, and he may have been the member for Bedfordshire in the parliaments of 1688 and 1695.

¹ Duncombe's instructions have been printed in vol. i of the *Diplomatic Instructions* published by the Royal Historical Society; those to Molesworth are to appear in vol. iii.

² For a full account of this subject see G. N. Clark, *The Dutch Alliance and the War against French Trade*; Miss M. Lane in *Transactions of the Royal Hist. Soc.*, 3rd series, vol. v.

In transcribing the document the original spellings have been preserved, but punctuation and the use of capital letters have been modernized and the numerous abbreviations extended.

J. F. CHANCE.

Public Record Office, State Papers Foreign, Sweden 13.

A Summary Report of the Execution of Your Majesties Instructions and Orders to me; during my Ministry in Sweden.

Having your Majesties commands and instructions to me, dated May the 30th, 1689, that during my residence at the court of Sweden I should make it my care to informe my self of all matters and affaires relating to that gouvernement and the ministers principally employ'd therein, so as to be able att my returne to give your Majesty a perfect account in writing of that monarchy, as well with relation to their affaires abroad as att home, I have accordingly endeavourd to procure the best information I was able, wherein what may be wanting I humbly hope will be partly attributed not only to the reservdness of the people I have been among and their greate care to make a greate secret of the smalest matter, but also to their peculiar jealousy of every stranger, who seems to be inquisitive, and their strict injunctions of secrecy to all their people, and most severe punishments inflicted upon any of them, who are found to discover the least thing that concerns their affaires either att home or abroad.

What I have observd of the country and gouvernement in generall and the greate alterations that have of late yeares happend therein is comprised in an other paper, so that in this I have only to give an account to your Majestie of the court of Sweden and its ministers, together with the posture of its affaires when I first arrivd and its conduct during my residence there, and how farr I have been able to execute the orders brought and such others as have since been transmitted to me.

Before I was gott into Sweden (tho' for certaine there was no want of diligence on my part) I heard that the treaty between the king of Denmark and the duke of Holstein (upon account of which my departure had been so much pressd) was allready concluded, tho' the fleetes of the two kings, about 40 sayle each (as I was assur'd att Helsingör), were yett att sea. And on my way through Sweden I found severall regiments were on their march towards Schonen but stopd because of the conclusion of that treaty, which soon after returnd to their severall quarters. So that the instructions I had relating to that business were thereby superseded and a violent concussion in the North prevented.

I arrivd att Stockholm July the 16th, 1689, where I found the ministers pleasing themselves with the success of the Holstein affaire and valuing both their master's steadiness and prudence in the conduct, and his weight in the conclusion of it; and was told the king of Sweden was therefore glad it was att an end, both that himselfe might more conveniently give succour to his allys and the king of Denmark more easily make a cession of 7 or 8000 men for your Majesties service and the common cause. Which cession indeed happend, but whether there was then any reality among

the ministry, who made the tother part of the compliment, I have more reason to suspect since then I had then.

But the intentions of the king himselfe I was from all hands assur'd was very favourable for the allys, and in the whole course of my ministry there I found no reason to judge otherwise. But humbly conceiving that one part of his inclination to the allys did arise from his distaste to France, which had in severall instances more then express'd a contempt of this king and kingdome, I feare he may be too soon reconcild to it, since France by its ambassador in Sweden¹ does not only submitt the occasions of offence to this king's pleasur and dijudication, but by the most servile basenesses courtes both him and his people. In the meane time I cannot ascribe the conduct of Sweden hetherto to any change in the king's inclinations, but rather to the state of his affaires and the artifices of some of his ministers, who on severall occasions were able to excite his passions and carry him to hasty and undigested resolutions; which had this misfortune, even an appearance of unsteadiness and want of judgement in him.

To which appearance I have frequently found the ministers choose rather to expose him than not arrive at their ends, using his name and authority without mercy.

The ministers which I found employ'd in foreigne affaires were the Counts Oxenstierna, Wrede, Lindichild, and Guldenstolp.² The first, president of the chancery and chief minister of state, very well and sycerely intention'd for the interest of the allys, yet consistently with that of his master; a person of greate experience good ability and steady to his resolutions, but much depress'd with a numerous family by poverty; yet proof, for anything I ever found (tho' he has gainsayers and probably traducers because enimys), against all the temptations of France, and therefore hated and oppos'd by all of that party, who on many occasions were so hard upon him, that for the most part he had a very uncomfortable ministry, was frequently under the kings displeasur (a thing terrible to them all, and in truth dangerous if not avoided) and sometimes being very neer thrown out of the saddle; to prevent which he was forc'd in many things to comply against his judgement, that he might be in a capacity to prevent the bad effects of the other ministers contrivances, which in a good measur he has done, and t'was all he has been able to doe; and even that a considerable service as well to his owne master as to the allys.

The rest of the ministers were generally reputed to be zealous sticklers for the interest of France, and upon experience I found too much occasion to think them so, saveing that I cannot say Count Guldenstolp ever appear'd such in any conversation I had with him; and I must doe him the justice that he allways gave the same reasons and explication of things the Count Oxenstiern did, and went rather farther and more open in his projects, how Sweden could or could not serve the allys. His parts

¹ The Marquis de Béthune. His instructions, *Recueil des Instructions*, ii. 151 f. He was not sent till October 1691, and he died at Stockholm in September 1692.

² Bengt Gabrielsson Oxenstierna, Fabian Wrede (finance and commerce), Erik Lindsköld (he died in June 1690), and Nils Gyldenstolpe.

and hability is very recommendable, but his syncerity much questiond and his poverty knowne, having besides contracted greate debts, when he was envoy in Holland, and still living profusely. And tis the rather to be suspected that he will take money on both sides, since he lyes under the imputation of doeing it, even in the quality of a judge, which, however heinous elsewhere, is not very unusuall in Sweden.

Count Wrede's credit with the king arose from his parsimonious menagement of the treasury, of which he is president. And his capacity of serving France consists not so much in any greate parts of his owne as in the direction he has in the affaires of commerce (the only bone of contention betwixt us); wherein upon the impressions given him by his inferior officers and the French here he has many opportunitys, under pretence of showing his zeale for the kings honour and his subjects' profits, to give such turne to things as hetherto have, and will still be of use to France. His covetousness is remarkable, and it may pass for a proof of it, as well as of his insincerity, that private applications were made to me, more then once, to procure him a present from England, as douteless he had severall from France; which applications I failed not to transmitt to England but never receivd any answer to them, till too late, and his ressentments have allready and I feare will more appeare thereupon hereafter. And he is a dangerous man, because he has the kindness of his master securd to him by that passion of his Majesty of enriching himselfe, with which the count complys with all diligence and without any measure.

Count Linchild dy'd within a yeare after my comeing to Sweden, much regretted by France, which lost in him a very faithfull and an able freind, yet he died a beggar.

The rest of the senators, except Admirall Wacht-Meister and the Feld Marshalls Aschemberg and Hasferd¹ (who owne themselves your Majestie's freinds), were all recknd of the French party, among whom the Counts de la Gardie and Bielk² were the most violent; and the latter being gouvernor of Pomerania, and haveing the execution of what relates to Germany, took all occasions to serve France there and was most industrious to engage Sweden in measures prejudiciall to the allys. And for the two secretarys of state, Bergenhielm³ and Piper,⁴ and other officers and ministers of inferiour degree, the generall bent of their inclination was towards France.

Besides, there were severall of the ministers and senators who, above their intentions of serving France, were supposd to have a great dessein to bring the king into streights and the gouvernement into confusion. And their reasons and ends therein will appeare by considering the state and posture of the king of Swedens affaires att home from that time till now.

Att that time he was in a good understanding with all his neibours,

¹ General-Admiral Count Hans Wachtmeister, Field Marshals Counts Rütger von Ascheberg and Jakob Johan Hastfehr.

² Counts Gustaf Adolph de la Gardie, Nils Turesson Bielke. The latter was specially recommended to Béthune for cultivation as Oxenstierna's particular opponent.

³ Johan Bergenhielm.

⁴ Carl Carlsson Piper, afterwards chief minister with Charles XII on his campaigns, until taken prisoner at Poltava.

or they partly not in a condition to trouble him, or partly in a state that needed and therefore sought his assistance. With Muscovy he was in very good terms and strict treatys. Poland had work enough on its hands; Denmark never well intentiond, but also not then capable of undertaking any thing against him. In regard of the Emperor Empire and Holland Sweden was engagd in defensive alliancys and obligations of succours; altogether disingagd with England and, as it was averrd, with France also; and upon the account of its territorys in Germany actually in the warr. All which constitution of things seemd very favourable for the allys and gave hopes of bringing Sweden into yet neerer measures, which possibly might have succeeded, if the state of affaires att home had not been an obstruction to them.

For however the king of Sweden has enlargd his owne authority and the forces of the kingdom beyond any of his predecessors, and by an absolute power with a standing army of about 60 thousand men, together with a well furnishd treasury (as all believe), may seem to have made himselfe as safe att home as considerable abroad, yet the meanes employd to gaine these ends have neer frustrated them and left the crowne as little (and it may be less) able to support its figure abroad or maintaine its security att home, then it was before that revolution, since it has been made with the ruine of all the nobility and gentry of Sweden, together with the loss of the liberty formerly enjoyd by the subject and the share they had in the administration of the government; both the authority of the senat being abrogated by the consent of the states, and its right of voting and determining by majority of suffrages all important matters being superseded, to make room for the king's sole pleasur in all cases and resolutions, and also the power of makeing laws and of all other absolute acts of government (except only that of laying extraordinary taxes upon the subjects, which was not askd of them) being transferrd to the king alone, to whom it was left to methodiz all things accordingly as he pleases.

To support this greate trust devolvd upon the king immediately after the late warr, when the revenue of the crowne was very low and its debts greate, not only those, who had been employd in the menagement of publick affaires, were fined in such sommes as exceeded their whole estates, but all the rest lost whatever lands they possessd, that upon any title had formerly belongd to the crowne. Their countys and baronys had originally been bestow'd upon the familys upon the creation of such titles, and as donations without any exception were all resum'd, as also whatever els had been given as gratuities for services or made over in payment of sallarys or pawnd for money advancd or goods furnishd; and they that after all this have anything remaining are dayly calld upon to answer such new demands as the officers of the crowne can make, and very seldom come off without being fleec'd; or, which seems yet a greater hardship, such of them as are sufferd to enjoy any estate while they live are almost sure to have the king for their heir with preferance to all other creditors and without regard to the number or lamentations of the family, which was so often the case, while I was there, that I remember few or no instances to the contrary.

I might add to this the greate impositions upon all the other bodys of

the nation, and particularly the charge of maintaining all the infantry except officers, which lyes very heavy upon the peasants and dayly ruines many of them; and tis no less remarkable a greivance they are under, who lent moneys or furnishd the crowne with necessarys in the last warr; of whom very few are paid, or, if they be, by bribes and attendance their capitall is eaten up, ere it be receivd; and if the party dye before the counts be liquidated the debt is payd. Besides, not a few have such observations made upon their accounts as frequently cutt off the halfe or more, and sometimes make the creditor become a debter.

Now whatever the reasons and grounds for these proceedings may have been, which some pretend to justify, others excuse, and all att present submitt to; yet tis most certain the effect of them is a generall poverty and as generall a discontent and an earnest longing to be deliverd from those pressures. Of all which the king of Sweden knows enough to oblige him to a more then ordinary care to prevent any opportunitys that might favour those desires and dispositions, which any warr would doe, much more an unfortunate one.

This was the state of the king of Sweden's affaires when I came to Stockholm, and during my stay there new greivances were dayly added, and new provocations of discontent given; so that some, who had formerly been of all others the most forward in their zeale and affections to the king and his interests, had much adoe to smother their contrary passions, and those, who still retaine the sense of duty and concern for him, had no other way left to obviate the danger threatend from his owne subjects but to keep him from being engagd in a warr abroad, the chance of which could scarce faile to bring all into confusion att home.

And this I take to be a fundamentall reason of the king of Sweden's conduct and care to preserve a neutrality during this present warr, which if he comes to forsake, tho' other people may not fathom the reasons or foresee the consequences, his advisors doe both; and I apprehend they may be fatall to him and his family.

My first audiance of the king was private, as were all the rest I since have had, because a late change in the ceremoniall (whereby the envoys of severall princes of Germany had obtaind all the honors done in publick audiances to those of crownd-heads) had introduced an irregular novelty. I there receivd greate assurances of his affection to your Majestie, and the ministers gave me encouragement to hope for a successfull negotiation. But the orders I soon after receivd to communicate the treaty made with the States Generall for prohibiting all trade with France was att least the pretence that made the whole course of my ministry very uneasy, and almost useless.

For no sooner was this communication made but people of all degrees and conditions were busily employd to decry our proceedings, some out of favour to France, which was so neerly concernd and like to suffer, others for feare of loosing the profits they had in view, and some, I beleive, out of apprehensions that wee should not be under a necessity to court and engage them. Accordingly, as all were ready unaskd to give their judgements against us, so the College of Commerce had forthwith orders to give their opinion in the case; in which they deduced att large that

the prohibition was praejudiciall to Sweden, both because it hinderd the vent of their owne commoditys and the importation of what they wanted from France, and also discouragd their navigation, which must therefore be of the utmost damage as well to the king in his customes as to the subject in their trade and manufactures ; that France with as much reason might, and in all likelyhood would desturb their trade with England and Holland, and even that to Portugall for salt would not be safe ; that it was of most dangerous consequence for Sweden to admitt of such an restraint, made without antecedent communication and contrary to treatys ; and that they that did thus much, with such a warr upon their hands, might pretend when more att their ease to shut up the Channell, even in time of peace.

When they had consulted upon this Count Oxenstiern by order represented to me the substance of these reasons and earnestly pressd that an expedient might be found to sett Sweden att ease, and that their merchant shipp might pass unmolested, for that some of the ministers of Sweden, backed by some princes of Germany and the French faction, had a little too much affected the king against the prohibition.

In answer to this was opposd the necessity upon which England and Holland made that convention and the impossibility of receding wholly from it, as also the reasons why it could not be antecedently communicated. That this course, if our freinds did not hinder, would make a short warr and quickly deliver both them and us from all danger from France, but otherwise it would be in a condition to carry on the warr till the allys were reduc'd to accept att best of a precarious peace. That Sweden it self had taken the very same course in its warrs with Muscovy, and also in the reign of the present king had by a treaty made with Holland in 1667 consented to as much against England (tho' then in strict alliance with that crowne) as would goe a greate way to content it now against France, namely, that all navall stores should be counted contraband goods and confiscable if taken going to England. That Sweden might subsist without any trade att all with France. Nevertheless, if they thought some necessary, they might have it, and they (who best knew what would be an expedient) were urgd to find out one that might be usefull to them and not destructive to us ; which, though the trade of Sweden with France in the uttmost latitud it was ever carryd on could not be, yet the consequence of it now, and the example of it to other neutrall princes (who could not all be supposd inclinable to use the like liberty as harmlessly as Sweden professd to doe) both might and would be ruinous to us.

But herein they were as backward themselves as they were urgent upon us, to find out an expedient, pretending only they could not employ above 15 or 16 shipp in that trade, nay, sometimes that they would not employ above 3 or 4. Yet, when this and more was yeilded to and offerd, they were never the more satisfyd but insisted upon an entire liberty of all Swedish shipp, by what title soever they became so, as a thing very strange to be refusd to so good a freind as Sweden and insinuating mighty returns of kindness. And at last they offerd as expedients greate assurances of the care they would take this liberty should not be abusd, and that to prevent effectually all danger from their trade wee should have

the preemption of all Swedish commoditys that wee would not have goe to France. And it was also for some time pretended that a resonable compensation to the king and his subjects for what they should suffer by the abrigement of their French trade would gaine their compliance with the prohibition.

But when either they perceivd us to concurr, or were pressd to explaine themselves upon any of these particulers, they always started off and made new difficultys. So that still it plainly appeard their seeming inclinableness to accommodate this matter was but an amusement and contrivance to gaine time, that they might see what our successes would be, what measures other neutral princes would take, and by what means the prohibition might best be broken, which from first to last they never intended to submitt to, notwithstanding their professions of kindness to us and their frequently declard opinion, that the prohibition was the only certain way to bring France to reason.

For tho' they pretended to employ so very few shippes, yet they absolutely refusd to be ty'd up to any certain number. Tho' they offerd us the preemption of their commoditys, yet they would not in the least be really engagd to prevent any the multitud of frauds and collusions it was visibly subject to. Tho' they talkd of a compensation, and supposd 2 or 300,000 crownes a yeare would doe it, and that we should even have goods for the greatest part of our money, yet when they were pressd to be perticuler in the summe they either extravagantly heightned the calculation and requird to be paid for the whole trade of Sweden and even for the goods of forreign growth, which pass thro' their country, or receded from their owne proposition and flattly refusd to take any money att all. Tho' they frequently pretended to make with us a regulation of their trade with France, yet sometimes theyd have it done att Stockholm, sometimes att the Hague, but in neither place would ever make the least recession from an unbounded and uncontrowlable liberty; and sometimes nothing els would serve them but a publick and formall renunciation of the convention, wherein alone, I am perswaded, they discoverd their reall intentions, and tis the only truth and syncerity I can charge them with in the whole menagement of this affaire. And finally, when they had given the greatest assurances to the States Generall that in case such renuntiation were made they would not only furnish their succours but be most exactly carefull that their subjects should only trade in such manner as might fully answer the ends of the convention, and had accordingly, by the reestablishment of the commerce-treaty between Sweden and the States, obtaind what in effect, tho not in forme, amounted to a renuntiation as to their regard; yet they have neither performd the one nor the other. For the succours have not been sent, and they not only trade as loosely as any of their neibours but keep up the animosity against the prohibition and resolve to persue it against England with the assistance of all who will co-operate with them and with all the artifices they are masters of. And I have reason to beleive they have it more in their eye to gaine this point in their mediation, then to make a peace for Europe.

From these dispositions and the unwearyd solicitations of Denmark

proceeded the convention made between the northern crowns for the maintaining a free and open trade with France.¹ In pursuance of which they have seemd more to act a revenge and give offence by supplying France with contraband goods then to answer the ends for which it was pretended to be made, that is, the benefitt of their subjects, whereof few doe partake, and the necessity of their kingdoms, which are thereby rather worse than better supplyd.

Now in this conduct Sweden had severall other reasons besides those alledged by the College of Commerce. For tho' it was of some concern to them not to disoblige France, yet the intention of gratifying and serving it was strong amongst most of the ministers. They mentiond only the necessity of their owne trade, but the ministers (who are some of them concernd in trade) were by the merchants easily possessd with the hopes and projects of engrossing to themselves the whole trade of Europe. The College of Commerce insisted only upon their owne navigation, but the ministers would be confident that shippes and marriners from all parts would flock to Sweden. Besides, the Swedes thought themselves bound in honour not to make the first step in compliance with the prohibition, and in interest to hinder any els from doing it, especially Denmark. Least if the prohibition were admitted it might become a president and be practic'd against themselves in time to come.

And tho' this stiffness was like to be very disobliging to us, yet they persuaded themselves wee were not in a condition to resent it. In the meane time this difficulty servd for a pretence to obstruct all neerer engagements with the allys and to conceale the weakness of the domestick state of Sweden, which, if nothing els had interposed, must att last have appeard a true reason of their neutrality. And it helpd to evade the sending succour to Holland, whereby the king sav'd more money then would have been got by an open trade.

And it may be justly esteemd a weighty reason with them not to be for or agree to the prohibition, because if they had complyd therewith the warr would have been determind too soon for their safety, that is, before the princes of Europ in generall, and especially some of their neibours, had been enough tir'd and weaknd.

In prudence, therefore, and for self-preservation (since in humane appearance there was no other way to stave off the danger, which ordinarily happens of contentions and disagreements amongst bordring princes, when they are att ease) they chose to keep the world att variance with one another rather then by contributing to end the warr to expose their present tottering gouvernement to the concussion of the smallest quarrell and dispute that might arise betwixt them and those round about them, whom they have made by their late encroachments irreconcilable enimys.

On the other side they had also an interest in making some apearances, as if they were inclind upon some reasonable termes to comply. For thereby the applications from England and Holland were divided, which if they had been made only to Denmark might probably have wholly gaind it. They had also a dessein to become mediators, and were therefore willing to keep as fair as they could with all sides. And they had att the

¹ In March 1691.

bottom no less a mind to gett money both for the king and his ministers, att the expense of specious promises without any intention of performance.

For these reasons my negotiation upon this subject, tho' of 3 yeares continuance, has been unsuccessfull and had no other effect then to discover how farr the freindshipp and protestations of these people may be relyd upon and may be of more use then had been their common measures with us. For men of greate promises and no performance are saflier knowne than trusted.

This has been the temper of Sweden, as I understood it, concerning the prohibition. How they have behav'd themselves as to treatys of alliance and commerce, which I had orders to offer, I am next to account for, as also how your Majesties subjects have been treated in Sweden.

When towards the latter end of the yeare 1689 I came to prepare things for treatys of alliance and commerce, greate cheerfullness was att first expresd and facility promisd on the part of Sweden, till I had explaind your Majesties intentions therein, that the alliance was to take effect during the present warr and commerce with France to be excepted out of the generall liberty expressd in the articles while this warr lasted. When I told this to Count Oxenstiern he seemd much surprizd and frankly lett me know that if these points were insisted on nothing would be concluded; which I found but too true when wee came to formall conferences with the ministers upon a project of alliance, which had been sent me from England, which after much debate was answerd by a counter project of theirs, whereby the effect of the treaty was to be reservd till the end of this warr and trade with France to be left entirely open. To the first my instructions impowerd me to agree, but having no liberty as to the latter I had nothing left but to transmitt the whole to England, as I did in December 1689.

And since that time I had no farther orders nor much discours with those ministers about it, whose reasons why they could not enter into the warr were that it could not be done to any purpose unless they transported an army into Germany with their king att the head of it, which neither the German princes would suffer nor the states of Sweden consent to. And when this was obviated by insisting only upon succours they answerd France would take that for a formall breach and treat them and their shippes as enimys; nor would the king of Sweden, who loves his souldiers and accounts them his children, send them abroad in pelottons and small bodys to be exposd and treated he knew not how; and on all these occasions made ample confessions of their poverty and inability to support the charge of any more succours, then they were obligd to send to their other confederates, nor in truth even of those. Yet att the same time they declar'd that their king would not take money; that is, they would neither owne he was, nor admitt he should be put into a condition to help us.

Att this rate they continu'd to reason till toward the end of 1691 (that Ireland was wholly reduc'd), when they began to open themselves otherwise and to wholly this king's inclination to concurr with your Majestie in such measures as, in their language, might secure the possession of the crowne of England and oblige France to owne your Majesty's title,

of which I also gave accounts in my relations. Whether they then did foresee, or were informd, that France intended to make a descent into England, I cannot say. Tho' when those preparations were making, or rather when the blow was supposd to be already given, they were very positive that their meaning was, when they made those advances, to be obligd to succour your Majesty in that case. And if I be not much mistaken (as in judging of these peoples intentions one may very well be) they are still disposd to doe something of this kind. I have been told also that from such a step wee might in time proceed farther, which yet in truth in my opinion is hardly to be expected, so long as their domestick affaires continue in the present condition. Besides, to how little soever Sweden complys in point of alliance, the prohibition must of course be given up for it in exchange. For if that be continu'd the effect of any engagements would be no other then what they have performd towards the States Generall. To whom, when they were pressd to send their stipulated succours, they made the prohibition an objection, and att last resolv'd to send none, till it were laid aside. Nay, altho' they were really gratifyd as to that point, upon the pretence of an honorary satisfaction over and above they have still done nothing. And such pretences they'l never want, be their agreements with your Majesty what they will, so long as the prohibition subsists, that is, so long as they can have or make that an excuse.

As for commerce, I had att first orders to notify your Majesties willingness to make a treaty with Sweden. But tho' in a little time I had informd my selfe of the state of your Majesties subjects trade in Sweden, and transmitted large accounts thereof to England, yet no project was sent me from thence, nor orders to proceed; because, I suppose, it had already appeard that it was to no purpose to offer anything upon that subject, while this warr lasted. And though these ministers frequently tooke occasion to make advances towards such a treaty, yet they were not very pressing, farther then what related to the liberty of their owne trade during this warr. The obstruction of which, however, they bore with less uneasiness, while wee only brought up their shippes bound for France and paid for their goods. But when they had the last winter extorted an agreement with Holland and gott reparations on their owne termes for their shippes taken by the States privateers, and the traity of commerce re-established for the futur; and whereas England had before laid an additionall duty upon iron, observing therein the same proportion that has long been practic'd in Sweden between the shippes of subjects and those of forreigners; they finding also their shippes were continually brought up by our men of warr and capers, they then began to work underhand and contrive how they might relieve themselves (especially Mons^r Wrede and others, who by their former opposition to any degree of compliance with the prohibition had made themselves answerable for the consequences of that stiffness); therefore they not only insisted that the treaty of commerce between England and Sweden made 1661 is still in force (which yet some yeares agoe they understood otherwise), but were foreward to propose a more usefull project, and even such a one as they supposd would in the most materiall parts answer our prohibition. But because I neither found

Count Oxenstiern att the head of this dessein, nor had any answer to the accounts I gave of it, nor instructions how farr I might proceed therein, I thought it my duty to be reservd and not concurr in a matter I had no foundation to goe upon, and where I had no prospect of use or benefit by it, all their projects, as I soon perceivd, tending to provide for the liberty of their owne commerce and but imperfectly and with greate looseness for our security against the frauds of their owne subjects and the collusions of others. Yet for some time I thought it not amiss to lett them amuse themselves with their owne notions, as judging that the expectations they thence framd to themselves might keep them in suspence and make them less foreward to joyne in the more violent expedients that Denmark earnestly pressd them to, and to which the incuragd clamour of their merchants, whose shippes were brought up and some of them confiscated, did no less sollicite them.

Nevertheless, as they think the treatment of their merchants att this time requires a speedy remedy, so for certain does their dealing with your Majesties subjects need redress, which according to my instructions in that perticuler I had frequent occasions to endeavour, but with less success then was due to the interposition of your Majesties name; which tho' I was cautious of using, and carefull to appeare in no solicitations but where the justice and equity was avowd by the Swedes themselves, yet I am well assurd that none of your Majesties subjects can or will say that their interest has been neglected by me, or that they have sufferd for want of any countenance or assistance I could give them in any of their just pretensions, how much soever they have and doe suffer for want of justice in Sweden, which has been allways very hard to obtaine and I beleive now more than ever.

The trade of England into Sweden has for some yeares been with greate industry oppressd and our woolen manufactures chargd with 60, 70, to a 100 per cent custom. And your Majesties subjects that have to sollicite payment of such debts, which this crowne contracted with them in the last warr with Denmark, have hetherto and still meet with as much hardship as those good services deserve kindness and favour, for without them this kings armeys could not have subsisted. I presume not here to trouble your Majestie with the perticuler cases; tho' att the request of the parties concernd I shall bring severall of them with me, and am obligd by promise humbly to lay them before your Majesty for your gracious consideration.

This is what I have cheifly observed of the deportment of Sweden towards your Majestie and your subjects during my residence here. To which I am also to add what I know of the motions and dessigns of Sweden in reference to other princes and states.

As to what concerns Europe in generall, Sweden does not a little magnifye itselfe for haveing presently after the treaty of Nimegen quitted the interest of France and in its counsellis and concerts with other princes endeavourd to oppose the ambitious desseins of that crowne, because it was the first that sett on foot the guarantie of that treaty of peace, and with the first concurrd in all other measures tending to the tranquility of Europe. Neither is it recknd a small merit in Sweden that it so franckly lett the States Generall have six thousand of its troupes, to supply the

roome of those your Majesty transported into England. But the conduct of Sweden since this warr began has taken much off from that assumed reputation. For how much soever by counsell or otherwise it did against France before, it has not made one step since to its disadvantage, but many of benefit to it. For nott only Sweden has obstinately adheard to its owne neutrality, and with greate care prevented all endeavours usd to engage it in the common cause, but very officiously offerd an unseasonable mediation and to some dangerous degree concurrd with a third party in Germany.¹ And if it be true that either Sweden in this third party had some tenderness for the allyes, and would not come up to the extremitys it was sollicitd to, or that the princes engagd therein faild, or outwitted the Swedes, so that those measures are quite broken, yet in their neutrality and mediation they still persist, nor is there the least appearance they will depart from either of them. For they will neither admitt of any temperament in their trade with France, not so much from the profit they can reape from the freedom of it, as because tis an obstacle to all neerer measures, nor will they suppose it possible that Sweden can come into the warr unless their king himselfe may command in cheif his owne forces upon the Rhine and elsewhere, which they know is an insuperable difficulty, att least not to be surmounted before Europe be in such a condition wherein the assistance of the whole force of Sweden would prove as useless as tis now thought dangerous. Besides, against any new engagements to furnish succours they oppose it would frustrate their pretentions to a mediation. And the end of their intentions therein is cheifly that they may have that plausible pretext to keep themselves disingag'd while the warr lasts.

That the king of Sweden and his Counsell were from the beginning of the warr resolvd to become mediators, and amongst other reasons to secure his neutrality, is I think very certaine. It is it likewise no less, that neither himself nor his cheif minister did intend it in favour of France, tho' the rest of the ministry have been able to make that use of it, by prevailing to have it praecipitously proposd, and that it will be in their power to make the like use of it hereafter is but too probable. Tho' there is little question but that the king and the Count Oxenstiern, next to their owne interest, doe syncerely intend thereby to recover a just ballance for the common good and safty of Europe.

Besides, Sweden having allready by sending succours to the Emperor declard France the aggressor, and by receiving a minister from your Majesty determind itself to owne your title, it may more safely be trusted in those two points.

But in other important matters it seem's resolvd to regulate its conduct by the successes on either side, and not unwilling to sacrifice part of the Spanish Netherlands, and the encroachments of France elsewhere, to the safty of the Empire. Accordingly the ministers have allways promis'd that the king of Sweden would not abate any thing of the treaty of Munster, but farther they pretend not to undertake. Neither will they by any antecedent treaty engage for that, because, as they say, such

¹ Béthune's principal instruction was to persuade Charles XI to place himself, with his troops, at the head of the 'Third Party' in the Empire.

a conditionate mediation would not only argue a distrust of the king but give France a just pretence to reject it.

However, be the king of Swedens pretensions never so favorable, there is but too much reason to apprehend that in the execution of them, if ever his mediation take place, France will have a signall advantage through the inclinations of the ministers to be employd in it. Since tis not easy to find one man in Sweden proper for that worke (if the Count Gabriel Oxenstiern be to be excepted ¹) who is not allready in the French interest.

The Emperor is the only prince that Sweden is apparantly industrious to menage, and the correspondance between the two courtes seemes to be very intimate. That it is very syncere may the rather be doutd, since the Swedish succours have been so lamely furnishd, concurrence in the treaty made 1689 between the Emperor and the States Generall declind, troupes to be employd in Hungary refusd, and the prolongation of the treaty between the Emperor and Sweden clogd with an exception of the present warr.

Against the States Generall Sweden has industriously affected to appeare very much exasperated, on account of the prohibition. It is perhapps too true that the Zealanders treated the Swedish merchant shippes rigourously, tis said cruelly. But the early offers that were made to compensate those wrongs ought to have sett Sweden att ease, if only the interest of trade had been considerd, especially when reparation was agreed to and the minister of the States had also signd a declaration that the Swedish shippes and subjects should be for the future dealt with all according to the treaty of commerce betwixt both nations, which in effect was so farr to sett the prohibition aside. But neither before nor since that agreement has Sweden satisfyd the treaties of alliance with the States, nor is there any likelihood they intend to doe it during this warr, the reason of which may be not only to save expences, but perhaps to vent an old grudge.

Between Sweden and the elector of Brandebourg there has been and is a remarkable coldness, if not exasperation. The effect of which . . . ² has showne lately in the business of Golnau, and sometime before in a very unpresidented usage of that elector's envoy, the Count D'ohna, ³ whose lady was forbid the court upon pretense that she being born in Sweden had changd hir religion, and from a Lutheran was become a Calvinist; which when all applications for redress were fruitless occasiond that envoys revocation, and the elector's resolution to send no minister with a carecter hither, till satisfaction be made; and therefore his highness has only a secretary here, to whom for your Majesties service and with your approbation I have given all the assistance I could.

With the house of Lunenbourg Sweden seemes to have been and still continue in a very good correspondance, tho' what judgement to make of the menagement of affaires with the duke of Hanover I cannot easily tell, unless it be that Generall Bielk, ⁴ by the counsell of France, misslead

¹ It was this Count Gabriel Turesson Oxenstierna who represented Charles XI in the mediation at Ryswick.

² Word illegible.

³ Dohna.

⁴ The Nils Bielke above mentioned. The reference is, maybe, to his negotiation at Paris, 1679-82.

both sides and advanced more then either intended. What the true aims of the duke of Hanover might then be belongs not to me to determine, but that Sweden had desseins therein to make it self more considered then it can be alone, to have an assurd step made to the mediation, and to gaine some advantage to its selfe, I have well perceivd, and suppose it would have gone farther if Sweden had not found that it was only made a property and that all the menagement honour and advantage was to be to that duke.

The common neutrality and interest in trade of these two northern crowns gave France an oppertunity of bringing them neerer together then they have been att any time knowne to come. But yet their affections are neither cemented thereby, nor a mutuall confidence establishd. Besides, as much as trade unites them, their distinct desseins in all other cases keep them asunder. And therefore whichever of them shall actually take part with either side in the present warr may expect the other to embrace the contrary, or att least watch for a safe occasion so to doe. The interest also of the duke of Holstein, and the marriage desseind between the prince and the elder princess of Sweden (which Denmark uses all its artes to prevent), may be like enough some time or other to sett these crowns at odds.

How Sweden has behav'd its self toward France is all mystery, for the ministers would never owne any intercoures with it; they att least made every thing done, which seemd to favour France, an effect not of the kings intentions or the mature deliberation of his counsellors, but of the artifices and surprises of the French faction. But France having condescended to send a minister to Stockholm the Swedes are forc'd to lay the mask aside and owne what cannot be disguisd, that they have had and still keep measures and correspondance with France.

When the marquis de Bethune came hether with the carecter of envoy extraordinary the king of Sweden made an order that his senators should not return the visits of publick ministers of that ranke, but of ambassadors only; which the allys were to take for a slight put upon him. and on desseign to abridge his conversation. Yet the cheif reason was by that means to force France to give him the carecter of ambassador, as it has now done, wherein Sweden has gaind a point of honour, which France little intended ever to yeild.

What might farther be said to give light to the desseins and interest of Sweden is that it stands in great awe of Muscovy, and is allarmd att the least appearance of any warrlik preparations there, because Sweden has made large encroachments and gott greate territorys on that side, such as for their situation and fertility Sweden cannot part with, without the utmost danger and inconvenience; nor is it very sure to retaine them, if Muscovy should attempt to recover them, the people of Livonia and those parts having been much disobligd and alienated by the severity of the reduction, and in greate dispositions to change masters.

Of Poland Sweden has no apprehensions, but on the other side greate jealousy of the elector of Brandebourg because of his ancient right to Pomeran, and his purpose to regaine it whenever an oppertunity shall offer.

Denmark ever has and allways will be a thorn in the side of Sweden;

is more cunning in counsell and more conveniently situated to take advantages and offend, then be offended by it. The hatred between the nations is haereditary, and no agreement has any other end but either to secure themselves against or impose on each other.

Their intercoures with the Emperour is much, in show ; yet neither can the imperiall court ever forgett what Sweden has done in Germany, nor Sweden foregoe its suspicions of Popish counccills. Flatterie there is on both sides, but on neither any greate esteem.

With the house of Lunenbourg Sweden is supposd to have a syncere freindshipp, founded upon the mutuall interest of supporting each other against Brandebourg and other neibours, which may accordingly last till that interest changes, and the rather because Sweden has no other freind in Germany that it can depend on.

Holland Sweden has long hated, both as a republick (as a nation which in trade is fancyd to eate the bread out of their mouths) and as a constant supporter of Denmark.

England is att distance enough to be a freind not much concernd to thwart the interest of Sweden in Germany, not too hard upon them in trade, a greate vent to their manufactures, and a principall security to the protestant religion, all which would be of more esteem if the riches of England did not excite the envy, and its situation and navall strength the feares of Sweden.

Till of late France for above an age has been in great credit with Sweden, both for its influence on the affaires of Germany and more for the subsidys and pensions that came from thence ; and though att present its pernicious desseins and contemptuous usage has open'd some eys, yet its money still blindes more ; and it may justly be apprehended that as the Count Oxenstiern has alone detachd Sweden from the French interest, so were he not still in the gap it would quickly be hurried into it agen.

In generall Sweden in all its transactions with foreign nations is very nice and formall in the point of honour, not brookeing the smalest appearances of inequality amongst crownd-heades ; not a little suspicious, lavish in syncerations, averse to engage in any untryd measures, and extreamly slow in all its proceedings.

If I may presume to add anything of my self it shall be only this ; that I have with zeale and affection endeavourd to serve your Majesty, and so farr succeeded in my care not to expose your Majestys honour that I thank God I have not had the least contest with any man nor descended in any case below the respect it became me to maintaine as your Majestys minister.

That I have otherwise had so very little success I humbly hope your Majesty knows has not been through any fault of mine, and as humbly pray your Majestie to beleive that I shall ever have a gratefull sense of your Majesties grace and favour, and of the honour and good fortune I have had to serve so greate a prince and so good a master.

Your Majesties
most faithfull and most
obedient subject and servant

Stockholm August the 24th 1692.

W. Duncombe.

*The Authorship of the 'Essai sur le Système Militaire
de Bonaparte' (1810)*

IN the year 1810 appeared in London a work entitled *Essai sur le Système Militaire de Bonaparte, Suivi d'une Courte Notice Sur la Révolution Française et le Couronnement de Sa Majesté Corse*,¹ the title-page attributing the authorship to 'C. H. S., Officier d'Etat-Major Moscovite', and the British Museum, which possesses two copies, credits it in the general catalogue *sans phrase* to one Saluzzo.

While, however, this identification is satisfactory so far as it goes, it is not apparently realized that the name Saluzzo is in itself the pseudonym of a certain individual, who, stating himself to be a French (i. e. an *émigré*) officer who could no longer bear to reside in the Austria of the *stille Jahre*, had crossed over to England via Berlin, Hamburg, and Heligoland in the guise of Antonio Saluzzo, a merchant² from Vienna, and had offered his services to Lord Wellesley. To the latter and to his brother-in-law and under-secretary of state, Culling Charles Smith, he disclosed what appears to have been his real name, which was Salazar.³ Nowhere, however, did he employ his Christian names or initials in signing his letters, while throughout his residence he seems to have maintained his incognito of Saluzzo, by which, as he pointed out on one occasion, he was to be addressed,⁴ and by which he was known to the home office agent who was at first set to spy on his movements.⁵

At this further attribution of the pamphlet in question I was able to arrive some time ago, when, purchasing a copy of the *Essai*, I found that pages 1-61 formed a slightly amended version of a memoir entitled 'Essai sur le Système militaire de Bonaparte. 1810', which Salazar submitted on 14 April of that year to the foreign secretary.⁶ Any possibility that he is not identical with

¹ 'De l'Imprimerie de R. Juigné, 17, Margaret-Street, Cavendish-Square', and sold by B. Dulau and Co., Deconchy, Boosey and Pannier.

² From Heligoland as a courier (Public Record Office, F.O. 7/94). His first letter to the foreign office is dated London, 12 March 1810 (*ibid.*).

³ The name suggests a Spanish origin, and it is worth noting that in his letter to [Smith] of 13 July 1810 he mentions that certain Spaniards recently arrived, 'qui me connaissent particulièrement', could act as references (*ibid.*). The passport issued him from Hamburg by the Austrian chargé d'affaires at the lower Saxon courts and Hanse towns (*ibid.*) describes him as born in Vienna and twenty-eight years old, but there is no great reason to place much confidence in the subordinate details of his incognito. An account of his career may yet be found among the archives of the *Polizeihofstelle*.

⁴ F.O. 7/94, Salazar to [Smith], Wimbledon, 4 June 1810.

⁵ F.O. 7/94, daily reports, *passim*, from which under 20 March we learn that in the morning he visited 30 Cleveland Street ('a House of ill fame'), and in the afternoon the foreign office.

⁶ F.O. 7/94.

the C. H. S. of the printed work seems, moreover, to be excluded by reason of a remark in his letter to Smith of 14 May 1811 :¹ 'Lorsque je publiai mon ouvrage sur le système militaire de Bonaparte ce fut à vos bontés que je fus redevable du succès de l'entreprise.' This gives us a lower limit of date for the publication, for, on internal evidence, it cannot have appeared before the very end of the previous year.²

I fear I can say little or nothing in favour of M. Salazar. His arrival was unwelcome, his projects uncalled for, and his financial appetite considerable. Like the incredible Freiherr von Geramb 'who spoke eleven languages and asked for £5,000', he bombarded the foreign office with memoirs. The *Essai* itself is a brightly written but clumsily arranged piece of work, for whose publication I find it hard to see a valid reason. And this was the opinion of contemporaries. Sarrazin subjected it to destructive criticism.³ The public refused to buy. In December 1811 the author begs of Smith 'une gratification quelconque qui puisse me débarrasser à jamais des embarras de ma vieille entreprise littéraire', and requests an answer 'avant le 29 ou le 30 de ce mois, époque à laquelle mes derniers engagements de librairie expirent'.⁴ It is in a sense unfortunate that the one Englishman capable of pronouncing an opinion on Salazar's reputation and character—the zealous and intelligent Johnson—landed on a brief visit

¹ F.O. 7/97, Saluzzo to Smith, London, 14 May 1811. In it he suggests that the foreign office should take some five to six hundred copies in an English translation for the forces in Portugal, which he offers at 5s. 6d. each instead of at 7s. as hitherto. The *Essai* may, like the *Ambigu*, have been 'calculated for the continent' (cf. F.O. 7/92, J. M. J[ohnson] to Smith, Ystad, no. 4, suppl., 7 December 1810).

² Cf. 'Depuis plus de quinze mois qu'on lui [Bonaparte] a vendu la paix d'Autriche' (*op. cit.*, pp. 94–5). In any case, an anonymous work, which can hardly have been other than the venture in question, appears in the 'Quarterly List of New Publications' of the *Quarterly and Edinburgh Reviews* of February 1811 (v. 265 and xvii. 500 respectively), although the title is curiously given as *Essai sur le Système Militaire de Buonaparte* [Edinburgh, Bonaparte], où l'on montre [demande] pourquoi [pourquoi] ses troupes ont eu [en] cette malheureuse preponderance sur celles du Continent; suivi d'une analyse de la Revolution Française et du couronnement de S.M. Corse. The price given is 7s. : cf. the previous note.

³ General [Jean] Sarrazin, *The Philosopher; or, Historical and Critical Notes* (London, 1811–1814), [i.] 121–31: 'Examination of a Pamphlet, entitled "An Essay upon the Military System of Buonaparte, by C. H. S., Russian Officer of the Staff"', which opens: 'When this work first appeared, a gentleman, in the employ of government, sent me a copy, requesting my opinion of it' (p. 121). The author is unaware of C. H. S.'s identity, and denies him all but the vaguest notions of the art of war (p. 129).

⁴ F.O. 7/97, Saluzzo [Salazar] to Smith, London, 23 December 1811. The same letter mentions the drawing up of his reply 'au commencement de ce mois [sic] . . . à la ridicule critique de M^r. Sarrazin contre mon ouvrage militaire'. This is evidently the letter to the editor from 'C. H. S.', dated at Wimbledon, 23 November 1811, which appeared in the *Ambigu* of the 20th [!] of that month (xxxv. 409–15), a wordy refutation, from which we extract the biographical detail that the writer was present at the battle of Austerlitz in a military capacity (p. 414). This rejoinder Sarrazin mentions *en passant* towards the end of the first volume of his work (*op. cit.*, [i.] 272).

from the Continent at the end of May or in the first days of June 1810,¹ and thus no written record of such a consultation is to hand. That our author was at this time an 'Officier d'Etat-Major Moscovite'² is more than doubtful. It must be remembered that from the point of view of the Good Cause Austria's name in 1810 stood low, even initiates such as Count Hardenberg having been hard put to it to do justice to the new orientation of her policy. A Russian was better than a French refugee—'à la campagne . . . à Wimbledon'³—from Vienna.

The investigation of this matter has had the further result of identifying an anonymous memoir preserved among the miscellaneous papers of the foreign office⁴ as a copy, made by that department, of the *Essai* submitted by Salazar in April 1810. In this copy the writer's signature of the epistle dedicatory to Wellesley is suppressed and 'France' pencilled in a perhaps contemporary hand on the front fly-leaf, thus rendering improbable its correlation with the original work, which was bound up, as was only logical, in the Austrian series.

C. S. B. BUCKLAND.

*Documents illustrating the Reception and Interpretation
of the Monroe Doctrine in Europe, 1823-4*

THE question of the reception of the Monroe Doctrine in Europe was discussed twelve years ago with a good deal of documentary evidence by Professor W. S. Robertson in the *American Political Science Review*.⁵ More recent criticism has, however, tended to suggest that the message awakened very little interest and caused very little impression in Europe. This is not altogether the case.

The great question at the moment (December 1823) when the Monroe message became known in Europe, was whether England would or would not join the congress called by the king of Spain to discuss Spanish-American affairs. Canning was not at all pleased at the republican sentiments of the message, or at its apparent prohibition of future European colonization of the American continents by European powers. But he saw at once that it would give the death-blow to the congress, and for this reason: Canning, in his celebrated interview with Polignac on

¹ F.O. 7/92.

² From the admiration professed in the *Essai* for Suvorov one might conceivably surmise that the author may have held a post on the staff of that commander in the war of the second coalition. See also n. 4, p. 589.

³ F.O. 7/94, Salazar to [Smith], Wimbledon, 4 June 1810.

⁴ F.O. 95/645.

⁵ November 1912, pp. 546-63.

9 October 1823, had declined to join the congress unless the United States were also invited, a decision which horrified Metternich and Chateaubriand. The Monroe message made it clear that the United States would not, under any circumstances, join, and Canning thought his task simplified accordingly.

Great pressure was put by the Neo-Holy Alliance and France on Canning to join the congress in January 1824, and Chateaubriand finally wrote a famous dispatch on the 26th to that effect. It was too late, for Canning had already taken his decision, which he announced to Spain on 30 January and published in March, together with the Polignac memorandum, though, out of deference to the feelings of the allies, he omitted from the latter the passage in which he declined to join the congress unless the United States were invited. The allies returned again and again to the charge, and did not admit their defeat until May.

This action, together with the republican sentiments of the Monroe message, seems to have convinced the allies that the United States were not acting in concert with England. Previously to January and perhaps until May they had tended to suspect that Canning was behind the message. Henceforward they could not suppose this, for England was clearly standing alone. And, as England seemed to them to be the 'preponderant power', the Monroe message ceased to attract attention.

The documents here printed illustrate three aspects of the matter : (1) French policy, (2) Austrian policy, (3) United States policy.

(1) *French Policy*

On 1 January 1824 Chateaubriand suggested to Sir Charles Stuart (British ambassador at Paris) that the Monroe message justified 'a joint representation to the United States "against the prohibition of future colonization on the Continent of America"'. On the 2nd he hinted to him that the coincidence of the language of the Polignac memorandum with the Monroe message 'almost justified' the supposition of an understanding between the British and American governments.¹ Chateaubriand wrote to Polignac (12 January), 'Is it the desire to please, or the knowledge of the support of England, that is the reason the United States have shown such decision ?'

(2) *Austrian Policy*

The first reference is from the Austrian consul-general in New York, K. R. Ledrer, to Metternich (Wiener Staats-Archiv, no. 44 of 6 December 1823. Bd. I, Berichte aus Nord-Amerika).

¹ Public Record Office, F.O., France 146/57, Stuart to Canning, 2 January 1824; Archives Étrangères, Angleterre, tome 618, Chateaubriand to Polignac, 9 January 1824.

He alludes to the non-colonization declaration, and to the statement that the United States would view as 'the manifestation of an unfriendly disposition' attempts by European powers to obtain influence in any part of this hemisphere. But he expressed himself as unable to determine 'whether the expression of these ideas really contains a threat!'

The next document is from the private Bagot manuscripts and contains the opinion of Sir Henry Wellesley (British ambassador at Vienna) to Sir C. Bagot (The Hague), Private, 16 January 1824.

It appears to me, however, that the determination announced in the speech of the President of the United States has settled the question relative to the independence of Spanish America. The Continental Powers may deliberate as much and as often as they please upon this subject, but will any Power after the declaration contained in the President's Speech venture to assist Spain in the reconquest of her Colonies? And single handed Spain can do nothing. Rely upon it that after this speech no proposal which has not for its basis the acknowledgement of the independence of the Colonies will be listened to for a moment by these Provinces, which have separated themselves from the mother country, in which I include Buenos Ayres, Chili, Peru, Mexico and Colombia. There are very bad accounts likewise from the Havannah [a liberal revolution was feared in Cuba].

Wellesley ends by stating his information is from Sir C. Stuart, British ambassador at Paris.

There is an important utterance by Metternich reported by Sir Henry Wellesley to Canning (Public Record Office, F.O., Austria 120/62, no. 10 of 21 January 1824).¹

Lebzeltern, Metternich's able representative at St. Petersburg, commented as follows (Wiener-Staats Archiv, Berichte aus Russland, 1824, Bd. 5. To Metternich, 23 January 1824):

The speech of Mr. Monroe, the principles he proclaims and the claims he puts forth will have excited the same sensation at Vienna as here. Perhaps this imprudently launched discourse will not be without its use for us, in making clear to the British government the consequences a future would have for it, of which the government of the United States disposed freely and without control (if it was permitted to encourage disorder in South America) of banishing the monarchical principle and substituting republican doctrines, so as more easily to place herself at the head of a confederation which would embrace the whole hemisphere.

Metternich replied by a long dispatch denouncing the Monroe doctrine, insisting on excluding the United States from a congress, and stating it was really a European matter 'to prevent the children of Europe from becoming the adults of America' (Wiener Staats-Archiv, Russland, Bd. 6. To Lebzeltern, 19 January 1824).

¹ This has been printed by Mr. W. S. Robertson, *ubi supra*, pp. 560-1.

(3) *United States Policy*

The opinions of Rush, reported by Polignac, are perhaps open to question. In Archives Étrangères, tome 618, no. 43, fo. 153, Prince de Polignac to Chateaubriand, reporting interview with Rush, March 1824, Mr. Rush is stated to have said :

The recent issue in Europe of principles openly in opposition to those on which rested the conservation of the interests of his country had alarmed his Government ; rightly or wrongly they had believed at home (*chez lui*) that the application of their doctrines would extend to the United States, and his Government had thought it its duty to repulse (*repousser*) the influences of these doctrines by a contrary influence.

He subsequently expressed the view that the Polignac memorandum (just published) would reassure his country with respect to France.

The opinion of Monroe is reported by Addington. It certainly does not strengthen his claim to be the author of the doctrine which bears his name.

In America, Public Record Office 115/144, Addington, no. 20 of 30 April 1824, reports to Canning that at a recent drawing-room President Monroe said to him :

Every fresh item of intelligence was become a matter of deep interest and calculated to excite high expectations in this Country.

The U[nited] S[tates] looked to G[reat] B[ritain] to their main point of observation at this moment. By the course pursued by her their aim must be in some measure regulated.

It was the President's earnest desire to cultivate and improve the good understanding existing between the two Countries, and he hoped a perfect confidence would be established and henceforth uninterruptedly maintained in their mutual relations. The policy of the two countries was essentially the same, and he hoped it would be conducted on either side upon the same broad principles.

Addington adds 'that he thinks the President meant us to be overheard'.

The intemperate virulence of language heretofore applied to those Sovereigns composing the Holy Alliance is now rather subsiding and the public feeling on the subject of the war threatened by these Sovereigns upon free institutions, in either hemisphere, appears to be divesting itself of that fevered complexion which it has displayed for several months past, and is assuming a character of greater calmness which rather adds to them than detracts from its sincerity.

HAROLD TEMPERLEY.

Reviews of Books

Oriental Forerunners of Byzantine Painting. By J. H. BREASTED. (University of Chicago Oriental Institute Publications, vol. i. Chicago: University Press, 1924.)

THE British forces which had captured Iraq held with a flying column, for a fortnight in 1920, a remote fortress on the Middle Euphrates about fifty miles below Deir ez-Zor. It was the extreme limit of their reach from south-east, and by stretching so far they just overlapped, without knowing it, the extreme limit of the imperial Roman occupation which had been pushed forward from north-west sixteen centuries before. For that ruinous fortress, now called Salahiyah, after the founder of the Ayyubite power, was almost certainly Dura-Europus, held for Rome as an outpost during something less than fifty years by the Twentieth Palmyrene cohort and a corps of archers. When Aurelian had broken the Palmyrene power Dura was abandoned and Diocletian fixed the limit of his occupation at Circesium, some fifty miles up the river.

During their fortnight the British soldiers lighted on traces of wall-paintings in chambers of the fortress wall, and their commanding officer had the sand dug out till they were revealed. The discovery was notified to Baghdad, where Professor Breasted happened to be. Miss Gertrude Bell urged him to make a dash for the place, and the military put fast motor-transport at the service of his party. He reached Salahiyah on the eve of its evacuation and had one day and no more in which to examine and record the paintings. Fortunately he made good use of his few hours, for no sooner had our force withdrawn than Bedouins hacked the painted faces to get rid of the baleful stare of their eyes. Two years later, in October 1922, the French commandant at Deir ez-Zor, prompted from Paris, where Dr. Breasted had interested the Académie des Inscriptions in the matter, sent a column down to Salahiyah to make further researches: and Dr. Franz Cumont was dispatched from Paris to record the results. These, which besides the discovery of more paintings included the partial clearing of a temple of the Palmyrene Triad, and of a small semicircular stepped building, have been published in the journal *Syria*, vol. iv, by M. Cumont. This publication should be consulted by all who read Dr. Breasted's book; for it offers a revision of his results by a scholar more familiar with Syro-Roman things. But since Dr. Breasted's book alone gives coloured reproductions of the paintings first found and afterwards mutilated, his is an indispensable record of one of the most curious and unexpected discoveries ever made.

Dura (if this were indeed the ancient name of Salahiyah, for the identification is not quite certain) or Europus (which may not have been really on the same site as Dura, but on the right bank, facing the latter as Apamea faced Zeugma) was colonized by Macedo-Greeks in Seleucid times, and retained a Greek population to the end. The principal painted scene is the work of a Greek local artist of the early part of the second century A.D., and represents a religious rite performed before the family of one Conon. It recalls about equally the art of the Persian east and the art of Justinian at Ravenna. Hence its unique interest. The small kodak print, taken by a British officer, which first announced it in England, was as surprising a phenomenon as an archaeologist has ever confronted. All one could guess was that it represented something Palmyrene; and the guess was not far wrong. The other paintings are about a century younger and were executed when the Palmyrene cohort was in occupation and had converted the 'chapel', or whatever it was, to a purpose of its own. The scenes are of Roman character, but still strongly Oriental in feeling. Dr. Breasted is fully justified in regarding the whole group as evidence of a Graeco-Oriental school, which foreshadowed and conditioned the development of the Byzantine school. His book and Dr. Cumont's article in *Syria*, taken together, make a new chapter in the history of ancient art, snatched by fortunate chance from one of the most inaccessible places in the East. Snatched is, perhaps, the *mot juste*; for only too probably the next visitor will find no more to see at Salahiyah than Sarre found before the war. The Bedouins will take good care of that in so wild a spot unless—hope against hope!—the French commandant has had the happy thought to put back the sand as he found it.

D. G. HOGARTH.

Histoire de la Coutume de la Prévôté et Vicomté de Paris. Tome i. Par OLIVIER MARTIN. (Paris: Leroux, 1922.)

THIS important book has given its author a foremost place among French historians of law and institutions. The *prévôté* of Paris was in fact *Francia* in its administrative aspect; with the possible exception of Vermandois, it was the chief French bailiwick. The history of its customs is the history of a body of feudal law which necessarily was of the greatest significance in the later development of the French state. When in 1212, for example, Simon de Montfort the elder organized his conquests in the county of Toulouse, he and his followers proposed to follow the 'usus et consuetudines Francie circa Parisius'. M. Martin's study, therefore, is far more than an essay in local history. Although it deals with the origin and development of law in a comparatively small area, and is especially concerned with the later middle ages, it is a contribution to a much wider subject. And to say that M. Martin has availed himself of all the opportunities offered by his theme is mild praise. If his style and method do not possess the charm and suggestiveness of our 'Pollock and Maitland', his book, when it is finished, will in scope, solidity, and grasp challenge comparison with that great classic.

In one important respect the scope of the two works naturally differs.

Q q 2

The growth of English common law had little or no relation with the growth of borough customs; in spite of constant royal supervision, London had not much more effect upon it than Burford or Stockport had. The growth of the customs of the district of Paris cannot be disentangled from the problems raised by the development of a great municipal area. Hence a large section of M. Martin's book is concerned with the origin of the tenure of land and houses by payment of rents (*les censives*) and with the growth of the tangled obligations which attached to the occupation of a house. So far as it deals with these technicalities, it falls into the same class as, for example, *Le Bourgage de Caen* of M. Henri Legras,¹ or Dr. Hemmeon's study of burgage tenure². Yet it has a wider significance than these in that it discusses the frequent intervention by the French Crown in the application or modification of the law of Paris. Throughout its history the law of this area was peculiarly subject to the direct influence of the Crown, and M. Martin shows much skill and judgement in explaining how and where the peculiarities of the customs of Paris were due to forces other than natural growth. The tenurial privileges of the Parisian burgher (pp. 131-2), notably the interesting rules of wardship (pp. 181-5), and the development of the Roman practice of tutelage, are cases in point, taken from the section on the rights of persons; in the sections on property, the history of royal intervention to meet the social crises of the fourteenth and fifteenth centuries gives many instances (e.g. pp. 479-85). The importance of Paris would occasionally give a wider influence in Europe to changes or developments which affected mainly that class of persons in the area who in England would be dismissed as 'burgesses' (e.g. the remarks on the right of 'rachat', p. 484).

During the fourteenth and fifteenth centuries we see the elaboration of the custom of Paris by the lawyers who practised at the Châtelet, the court of the *prévôté* of Paris. The custom found authoritative expression in the 'Grand Coutumier de France', compiled by Jacques d'Ableiges. M. Martin describes the rediscovery (in 1880) of this important advocate by the late Léopold Delisle, and, as a result of his fresh examination of the manuscripts, is able to add suggestions of his own upon the history and significance of the Coutumier (pp. 90 ff.). Jacques d'Ableiges in his youth had been examiner at the Châtelet; subsequently he was royal bailiff, first at Chartres, later at Évreux, where he wrote the four books of his customal. During the last twelve years or so of his life (c. 1390-1402) he was advocate at the Châtelet; and M. Martin attributes to this period a new edition of his work which survives in a particular group of manuscripts (p. 96). The work of Jacques d'Ableiges, drawn partly from earlier tracts on procedure, partly from the decisions of the court or the recollections of the author and his fellow-advocates, was used in Paris and even outside the area of the *prévôté*, throughout the fifteenth century, so that, if we except one or two collections of judgements (*arresta*), the official redactions of the customs of Paris were postponed until the sixteenth century (pp. 104-17).

When Jacques d'Ableiges practised in the Châtelet, the reign of the 'esprit bourgeois' had well begun. The most remarkable feature of

¹ See *ante*, xxvii. 622.

² See *ante*, xxix. 748.

Parisian custom, as defined by him and analysed by M. Martin, was the methodical distinction between the fief and the censive (cp. pp. 216-17). This distinction is found in the districts of Chartres, Orleans, Beauvais, and in Champagne, but not in the customal of the north and west of France. Its peculiar significance in the customs of Paris lies in the fact that, owing to the penetration of the *bourgeoisie* into the social life of the *prévôté*, the distinction became a distinction between tenures rather than between persons. I cannot do better than quote M. Martin's own words, in which he analyses the nature of this interplay of legal tradition and social change :

La matière si riche des cens et des rentes reste au premier plan des préoccupations parisiennes, comme on le peut constater aux recueils des notables, au *Grand Coutumier* et aux registres mêmes de la prévôté qui apparaissent à l'extrême fin du siècle. Mais ces mêmes textes, pour qui sait les lire, en opposition avec la tradition ancienne, affectent de traiter les fiefs, comme d'autres biens, considérés en soi, et abstraction faite de la qualité de leurs possesseurs. Bien rares sont devenues les particularités du pur droit des nobles, tandis que se maintiennent celles du droit des fiefs ; et à ce point de vue les textes parisiens sont en flagrant contraste avec les textes angevins, par exemple, qui prennent si nettement en considération la qualité des personnes. Nul doute qu'en s'attachant uniquement à la qualité des biens, à partir du xiv^e siècle, le droit parisien n'ait acquis cette clarté et cette logique souveraines que soulignent l'obscurité et la complexité de certaines autres réglementations coutumières. Mais cette clarté ne fut acquise qu'en s'éloignant d'une tradition qui avait eu aussi sa logique et sa force. Et il faut bien reconnaître qu'elle servit avant tout les intérêts de la bourgeoisie parisienne, dont l'esprit s'installe au Châtelet pour dominer de ce point privilégié l'évolution de la coutume. Comment s'étonner par suite que le droit parisien ait plus rapidement progressé que le droit apparenté des ressorts voisins ? Ce n'est pas en vain que le tribunal royal siégeait au centre même de la ville laborieuse, attentif à ses besoins, et réunissant dans le corps de ses juges comme dans son entourage si actif d'avocats, de procureurs ou de notaires, l'élite intellectuelle des bourgeois de Paris (pp. 53-4).

In the age of the 'esprit bourgeois' we are far from the age of the elder Simon de Montfort and the 'usus et consuetudines Francie', yet the law of tenurial property, which M. Martin describes in the greater part of this first volume (pp. 201-498), was the outcome of the unwritten custom which prevailed in the Francia of Philip Augustus. If he would trace its development M. Martin must combine, with a study of the texts of the fourteenth and fifteenth centuries, a close and delicate appreciation of their historical antecedents ; he must be able to pursue and interpret the fugitive records of French social life in the spirit of the historian as well as with the preoccupation of the lawyer. This is what M. Martin, in fact, has done. His book has an interest for the general student of French history far transcending its undoubted value as a study of the technicalities of medieval feudal law. In the first half of his introduction, in the chapter on the condition of persons (pp. 121-49), and in the opening sections of his various chapters on the law of the fief, he has, with fullness of knowledge, written the history of Francia, thrown much new light on the early history of Paris, and the neighbouring *châtellenies*, disentangled for us the various rights of jurisdiction in the city, and analysed with fresh insight the origins and nature of feudal relations. However indifferent one may be to the intricacies of the law of rents and mortgage, his book should be studied as one would study the books of Longnon, Viollet, or Guilhiermoz.

F. M. POWICKE.

Acta Aragonensia; Quellen aus der Diplomatischen Korrespondenz Jaymes II. (1291-1327). Band III. Herausgegeben von Dr. HEINRICH FINKE. (Leipzig: Rothschild, 1922.)

THE first two volumes of Professor Finke's remarkable work appeared in 1908, and were warmly praised by the present writer in these columns.¹ The adverse conditions of recent times, bearing still more hardly on German than on British scholarship, have postponed for something approaching fifteen years the appearance of the third volume. Now the peace has enabled Dr. Finke to resume his journeys to the archives of Barcelona, and to set forth this further instalment of his labours in the same handsome *format* which distinguished the earlier volumes. The mass of material from which he has been able to draw is so large that, even now, he has only just covered the thirty-six years of the reign of James II. The last 35 pages of the text of 560 pages barely introduce the period of Alfonso IV. After James's death, however, the diplomatic material at Barcelona falls off so sensibly in amount that Dr. Finke hopes that a fourth volume will bring up his *Acta Aragonensia* to the period of the council of Constance, and thus bridge over the gap between the studies which first brought him to Barcelona and those fruitful investigations into which he has so happily strayed. It will be a fine record for his thirty years of work on the archives of Aragon, and scholars will wish him health and means to complete his task. The second volume of his work on the council is noticed on another page of this Review.²

Dr. Finke writes a preface full of cheerfulness and hope. A year before he published his first volumes the Institut d'Estudis Catalans was founded in 1907, and can already point to a long series of volumes that throw a flood of fresh light not only on Catalan history, but on the diplomatic, economic, and cultural history of the whole of the later middle ages. Besides this, he can point with pride to the dozen or more of dissertations in which his pupils have under his guidance revealed new sides of the inexhaustible material of the archives of Barcelona. Some of these, notably Dr. Schwarz's *Aragonische Hofordnungen im 13. und 14. Jahrhundert*, have already proved of extreme value to all working at administrative history. Altogether Dr. Finke has good grounds for satisfaction. It is not given to many men of this generation to be pioneers of a new and fruitful field of research.

Dr. Finke's introduction covers little more than fifty pages, as he has already said much of what he wants to say in his former volumes. It is divided into two sections. The first deals with the archives of the Crown of Aragon, and supplements and brings up to date what he has previously written on the subject. The second sketches in broad outline the ecclesiastical policy of the Aragonese kings. It throws much light on the personality and politics of John XXII, the greatest of the Avignon popes, whose very human personality, despite all his roughness and harshness, is well revealed in these documents. Very noteworthy to students of the ecclesiastical history of other countries is the way in which the same problems arise in Aragon as in England and France.

¹ *Ante*, xxiv. 141-5.

² p. 604 below.

The texts themselves offer a rich field. Like the earlier volume, they include many intimate, personal letters that stand in remarkable contrast to the formal correspondence that alone survives in Transpyrenean archives. Particularly noteworthy from this point of view are the vivid and detailed letters in which Vidal de Villanova instructs his sovereign in the intimate doings of the papal curia, the ebbs and flows of opinion of the long-drawn conclave which ultimately resulted in the election of Clement V, and the curious contrast in mentality and character between that pope and John XXII. All these confidential dispatches are written in Catalan, Latin being reserved for the more formal correspondence. But the variety of the Crown archives is inexhaustible. Dr. Finke prints a very personal and interesting letter, written in German by two young Austrian dukes to their sister-in-law, Elizabeth, the wife of Frederick of Austria, the rival of Louis of Bavaria for the Empire.¹ He points out that this is one of the earliest private letters written in German. It is remarkable that Elizabeth's husband's brothers should correspond with this daughter of James of Aragon in their own tongue, so soon after her arrival in Germany. Dr. Finke wonders with good reason how the letter got to Barcelona.

The references to English history are few but interesting, and suggest some new points. James's correspondents at the papal court enable us to trace with great particularity the relations of Walter Winterbourne, the Dominican English cardinal, to the conclave of 1304-5. At first it was believed that Winterbourne would not attend, as he was old and in bad health, and had not been to the curia since his elevation to the cardinalate.² As a matter of fact, Winterbourne had received licence and safe-conduct from Edward I, whose confessor he had been, to go to Italy, even before Benedict XI's death, the king procuring for him an advance from the banking firm of the Spini to defray his expenses. Anyhow, he was at the conclave long before it proceeded to an election. Villanova tells James that on Christmas Eve 1304 the 'English cardinal' was so ill that he had to leave the conclave, that on 27 December he was at death's door, but that he recovered unexpectedly before 4 January.³ Before this Villanova had sounded him, taking him with him from Perugia to Gubbio, and ascertaining that he had a kindly desire to follow the lead of the king of Aragon. He was still at the curia in May. Though one of the cardinals who dwelt in his own house *extra clausuram*, Winterbourne knew quite well all that was going on inside the conclave.⁴ He participated in the election of Clement V, but died on his way to the pope's coronation at Lyons. Such details add something to the meagre account of Winterbourne's movements given in the *Dictionary of National Biography*.

Reference may also be made to interesting short accounts of the troubles between Edward II and Gaveston,⁵ to the application of that king for a 'crusading' tenth to fight the Scots, with John XXII's uncompromising refusal. The king of England had neither paid his annual 'tribute' nor had he performed homage and fealty to the Holy See, as he was bound to do.⁶ The embassy replied that the king was willing to do all these things, and thereupon the pope granted the tenth for a year. This is doubtless

¹ pp. 298-9.² p. 130. This letter was in August 1304.³ p. 135.⁴ *Acta Aragonensia*, i. 189.⁵ *Ibid.* iii. 184.⁶ p. 322.

gossip, and perhaps inaccurate gossip, for nobody in England had the least intention of recognizing that the king was still bound by King John's surrender to Innocent III. But it gives a glimpse of the sort of thing that was going on behind the scenes in a way that no formal dispatches could ever do. It is characteristic of the whole correspondence. There are also some references to the negotiations for the marriage of the future Edward III with an infanta of Aragon,¹ and the conclusion of the treaty of Northampton.

If the texts are so valuable to the English historian, their value on subjects which more directly affected Aragon can be imagined. Of special importance is the light they throw on economic history. This is seen in a project submitted to James II to retaliate on French trade in revenge for obstacles imposed by Philip IV on Aragonese and Majorcan merchants.² Dr. Finke regards this as so valuable that he gives a German translation of the long document in Catalan. It is a reasoned statement of the ways in which Aragonese trade can be made independent of France, notably by getting wool from the empire, England, and Barbary, and by encouraging the breeding of sheep in James's own dominions.

It is hard to overpraise this most interesting and valuable collection.

T. F. TOUT.

Giovanni da Ravenna—Studi Umanistici. Di R. SABBADINI. (Como : Nani, 1924.)

IN the middle of the fourteenth century there were two persons known as John of Ravenna, viz. Giovanni di Conversino and Giovanni Malpaghini, both famous as teachers. The consequence has been that the careers of the two men have been hopelessly mixed up, and problems described as insoluble have arisen. Dr. Sabbadini, with the help of documents previously unpublished, has cleared up all these perplexities, and Giovanni di Conversino, previously a legendary figure surrounded by mystery, has become a living and historical person. His story is told not only in certain letters to friends in which the vicissitudes of his life are described, but also in a curious document termed *Rationarium Vitae*, preserved only in a manuscript belonging to Balliol College. This work is a psychological study, modelled upon the *Secretum* of Petrarch, who was himself inspired by the Confessions of St. Augustine. In it Giovanni spares himself nothing and exposes all his frailties.

The story of the poor youth who came to Petrarch in rags and gained the poet's favour by committing to memory twelve of his eclogues in eleven days and, after learning to write a beautiful hand, ran away from his master and became a vagrant schoolmaster, refers not to Conversino but to Malpaghini. The account given in Voigt³ and other authorities requires to be rewritten.

Giovanni's father, Conversino, a native of Frignano, near Modena, was a famous physician who, after holding the chair of medicine at Siena, went to Hungary as court-doctor to Louis of Anjou. He had a large stipend, kept 400 horses, and made presents from his stud to Bernardino,

¹ pp. 459, 460, 461.

² pp. 155-67.

³ *Wiederbelebung des classischen Alterthums*, 3rd ed., pp. 212 seqq.

the ruler of Ravenna, who was a personal friend. His son, who was born in Hungary, was sent to Italy at the age of two, in order to be educated there, and was put under the care of Conversino's brother, Tommaso, who afterwards became patriarch of Grado and subsequently cardinal. Tommaso sent the child to Ravenna under the charge of the nuns of S. Paolo, who treated him tenderly. He was known in Ravenna as *chis Iohannes*, *chis* being the Hungarian word for 'little', and was a favourite of Bernardino. His father had bought a good deal of property at Ravenna, so the son's future seemed assured. These happy days ended when the boy was sent to school at Bologna, where he fell into the hands of brutal schoolmasters, the first of whom, one Filippino, seems to have had homicidal tendencies. At last the lad ran away and returned to his beloved nuns at Ravenna. His father was by this time dead, and his uncle was solely responsible for him. Tommaso seems to have found the charge a heavy one, and with the approval of Bernardino took a strange step. The legal age for marriage was fourteen, which is somewhat startling to modern ideas, but it was not unusual for the ceremony to be performed still earlier. Giovanni, accordingly, was married at the age of twelve to Margherita, the daughter of a well-to-do doctor, a girl somewhat older than himself, and went to live in the house of his father-in-law as a member of the family. Unfortunately Margherita's parents died soon afterwards, and violent quarrels arose between her and her boy-husband, one of his grievances being that she was fond of using rouge and powder. His remedy was to run away, first to Ferrara, where his uncle was, and then to Florence, where he was taken into the service of Niccolò de' Medici and met Boccaccio, who had previously known him in Ravenna and saluted him by his familiar name *chis Iohannes*. He then returned to Ravenna, but his domestic troubles grew worse: he fell into bad ways, absented himself from home and, when he came back, abstracted articles of furniture and sold them. He then ran away to Bologna, where he resumed his studies and finally set up as a teacher. It was at this time that his eldest son, Conversino, was born. He next went to Padua, the town with which his name is chiefly associated, where for the first time he studied under a great scholar and teacher, Pietro da Moglio, the friend of Petrarch. He was taken by Pietro into his house as a boarder and, giving up the study of jurisprudence, which he had previously followed, devoted himself to letters. On returning to Bologna he found himself famous as a pupil of Pietro, and received an invitation to teach there. His career at Bologna seems to have been somewhat scandalous. He was a gay and extravagant youth, and the town became too hot for him, so he went off first to Ferrara, then to Treviso, where he taught, then to Ravenna, and then to Florence, where he became a notary in 1368, thus qualifying himself for another calling besides that of a teacher. In the same year he was appointed to the chair of rhetoric in Florence, but soon threw it up and returned to Treviso. Here he was visited by his wife, an unwelcome guest. In his *Rationarium* he arraigns himself thus:

Inter hoc supervenit cum nato coniunx, quo nil tristius unquam vidi. Quam primum natus regionum mutatione insuetique aeris qualitate contracto morbo vix pervasit. Deinde uxor post infirmans neglectu culpaque mea mortem obiit.

This confession is startling in its simplicity, but Giovanni, in his memoir, never tries to extenuate his faults.

His next post was at Conegliano. Here he imprudently took into his house a sinister relative of his wife, who attempted to poison him with arsenic. The murderer was arrested, and punished by having his eyes put out and his right hand cut off. Shortly afterwards Giovanni visited his uncle, now patriarch, in Venice, and there met Petrarch, who had come on an embassy from Padua. He subsequently, in 1373, visited Petrarch at Arquà, a year before the poet's death. His relations with Tommaso were strained through the intrigues of the patriarch's steward, Vittore, and Giovanni, as he records in his confessions, formed the horrible design of assassinating his uncle. Happily for him, he repented in time. His next post was at Belluno, where he married again. His second wife, Benesuda, was a young widow of considerable means, with whom he lived happily. It was in this town that his son, Israele, who afterwards became the chief joy of his life, was born. Unfortunately his wife's father died, and family quarrels followed about the division of the estate: also, the town-councillors grew tired of him, thinking him too learned for his work, and dismissed him. In 1378 his uncle was made a cardinal, and Giovanni in 1379 made his first journey to Rome on a visit to him. They had previously been reconciled, soon after Giovanni's second marriage, and Tommaso had presented to his nephew a valuable collection of manuscripts which came from the library of King Robert at Naples. The whole of this library had been given by King Louis to Giovanni's father, who had divided it into three parts. One of these was taken to Hungary, a second was to follow, but was lost on the way, while the third was left in the custody of Tommaso. While at Rome Giovanni was much interested in the ruins and monuments, especially the tomb of St. Jerome.

His next post was of a different kind. After his return from Rome he was invited by Francesco Carrara to become his chancellor, and gladly accepted. Benesuda and Israele came to join him in Padua, but Benesuda died, to his great grief, shortly afterwards. Francesco treated him with liberality, providing him with food and lodging in addition to his stipend. On the other hand Giovanni devoted himself to the service of his patron, and did not shrink from functions not generally associated with a chancellor. Thus, when Francesco wished to take a siesta, Giovanni would read him to sleep, or fan him, or gently tickle his feet. His zeal provoked the jealousy of the courtiers, and, after three years of prosperity, he left Padua and went to Venice.

He now received an invitation to go to Ragusa as chancellor, or, as he is styled in the archives of that city, *notarius*. It is usual to speak of the six years (1383-8) which he spent in Ragusa as the most unhappy period of his life, but the documents printed by Sabbadini do not bear this out. He was well paid and very popular, and only returned to Italy in order to provide for the education of Israele.

On his return he resumed his old occupation of a teacher, making his home at Venice. His former patron, Francesco Carrara, who was at war with Venice and Milan, was obliged to abdicate in favour of his son, Francesco II, and in the autumn of 1388 Padua was occupied by Milanese

troops. Giovanni's sympathy with the fallen ruler led him to decline the offer of the chair of rhetoric at Padua which was made to him. He was at this time much troubled by the misconduct of Conversino, his son by his first marriage, now a doctor at Verona, with a family. Conversino extracted from his father the portion which would eventually come to him from property at Ravenna, squandered the proceeds, and then quartered himself upon his father at Venice. Giovanni thought it best under these circumstances to leave Venice, and accepted a post at Udine, where he remained for three years. In 1390 Francesco II regained possession of Padua and, when Giovanni appeared there in 1392, after leaving Udine, offered him the post of chancellor. This, however, he was not able to accept at once, since he was already engaged to act as professor in the university. The appointment was in the first place for one session only, but was renewed for another. Giovanni had previously been handicapped by his learning, which seemed too great for a mere schoolmaster. At Conegliano it was said of him '*magister iuniorum libenter legit et studet ut instruendi curae deficiat*', and in the document which terminated his engagement at Belluno it was stated :

Magister Iohannes de Ravenna licentiam habuit a communi eo quod esset nimium valens et in multo maioribus quam Professor grammaticae, et non bene aptus ad docendum pueros.

At Padua, which was now the chief centre of humanistic teaching, he found worthy pupils. Dr. Sabbadini says (p. 75) of the two sessions during which Giovanni held the chair, 'These are the public courses, from which issued famous pupils, three specially so, Secco Polenton, Vergerio and Guarino. A fourth, Vittorino da Feltre, was his private pupil.' Such renown, therefore, as Giovanni has enjoyed is mainly due to these lectures.

It is somewhat disappointing to turn to the evidence. There is no doubt about Secco, who expressly records that he was a pupil of Giovanni, but the evidence about Vergerio is inconclusive, and we have no authority for the inclusion of Guarino and Vittorino except a statement of Biondo, who was a careless writer and mentions a number of distinguished persons as pupils of a single John of Ravenna, confusing the two teachers of that name. Guarino himself never mentions Giovanni as his teacher, which seems very strange. Dr. Sabbadini thinks this may be due to Guarino's absorption in Greek, which may have led him to underrate Latin studies, but this does not seem convincing. Vittorino appears not to have come to Padua until 1396, when Giovanni was no longer professor, and Dr. Sabbadini ingeniously suggests that he was taken into the ex-professor's house and instructed by him during leisure hours.

In 1394 Giovanni became chancellor of Padua for the second time, but was not wholly contented with his position, which he contrasts with that of Coluccio in Florence, who enjoyed greater freedom. In 1400 he was sent to Rome on a diplomatic mission, in the course of which he interviewed the pope, Boniface IX, who received him in church during intervals in the mass. He describes in striking language the desolation of the country, which he ascribes largely to the excesses of English troops in the service of the pope. Shortly after his return a great sorrow fell upon him in the death of his son, Israele, at the age of twenty-five. It was

during the period of his chancellorship that many of his literary works were composed, including his *Rationarium*. In 1404 Francesco II made war on Venice with disastrous results, Padua being taken by the Venetians in 1405. Giovanni left his service early in the war. Francesco had to make economies and had reduced his chancellor's stipend. Strangely enough, it was to Venice that Giovanni retired, and, apart from a short visit to Padua when the war was over, the rest of his life was passed there, or at Muggia near Trieste. At Venice he had a famous pupil in F. Barbaro, who must, however, have been very young at that time. One of his occupations was to form a collection of his letters, a task undertaken at the request of Innocent VII. It is from them together with his *Rationarium* that Sabbadini has drawn most of his information. Death came to Giovanni at the age of sixty-four in Venice, while he was engaged upon a series of stories (*memorandarum rerum liber*) in imitation of Valerius Maximus and Petrarch's book with a similar title.

Giovanni had many defects of character. He was incorrigibly restless and always dissatisfied with his surroundings. He had a fierce temper, and his treatment of his first wife seems somewhat brutal, much as he had been provoked. The candour, however, with which he reveals his many shortcomings makes him on the whole a sympathetic figure. It is not possible to award high praise to his literary compositions, which are typical products of the age in which he lived, stiff and turgid in style, while his Latinity is very inferior to that written in the next century. There can, however, be no doubt that he was a gifted teacher who raised the standard of education and prepared the way for Guarino and Vittorino.

Dr. Sabbadini must be congratulated upon a fine piece of research, which has illuminated what was previously a very dark chapter in the history of the early Renaissance. It also contributes much interesting information to our knowledge of the time.

ALBERT C. CLARK.

Acta Concilii Constanciensis. Zweiter Band: Konzilstagebücher, Sermones, Reform- und Verfassungsakten. Herausgegeben in Verbindung mit JOHANNES HOLLNSTEINER von HEINRICH FINKE. (Münster in Westfalen: Regensburg, 1923.)

THE first volume of this collection appeared in 1896. The editor then hoped, so he tells us, that the rest of the work would appear very shortly. Every scholar knows the difficulty of estimating how long the preparation of an ambitious work will take, and of late the wonder has been that the historians of central Europe have managed to produce anything at all. Now that this volume has at last been published it does not realize all one's expectations. The general 'Introduction' (as Dr. Finke still calls it) is relegated to a third volume; so, 'for technical reasons', is the special 'Introduction' to the volume before us. It is true that the editors' views on the material now published are partially revealed in the introductions which are prefixed to the several sections of the book; but these are brief, fail to deal with many questions that suggest themselves, and illustrate many of the characteristic defects of the German tongue as a vehicle of literary expression. In his preface, dated July

1923, Dr. Finke states that the printing of volume iii was to begin forthwith. Whatever may be said of Dr. Finke's omissions, there is no disputing the very great value of the work he has done. His hunt for manuscripts has ranged from Rome to Petrograd, from Madrid to Vienna, and it has yielded 700 pages of material, very little of which had been printed before. The first section of the volume comprises three journals kept by men who were present at Constance for at least a great part of the council's proceedings. Of these Cardinal Fillastre's '*Gesta Concilii Constanciensis*', now printed in full for the first time, is easily the best. Clear, vivid, of much literary merit, it sheds new light on every phase of the council, and is specially illuminating on the rather dull and obscure period when Sigismund was away in Aragon, France, and England. The '*Liber Gestorum*' of Jacobus Cerretanus suffers by comparison with Fillastre's journal, but is serviceable for the early months of the council. Dr. Finke, abandoning the view put forward many years ago in his *Quellen und Forschungen zur Geschichte des Konstanzer Konzils*, now denies to the journal of Cerretanus any official authority, though the writer's position in the curia gave him access to many official documents, which he freely incorporated in his work. The third of the journals, a meagre record, was kept by Guillaume de la Tour, archdeacon of St. Flour; like the '*Liber Gestorum*', it is most useful for the doings of the council prior to the deposition of John XXIII.

The second section of the volume is devoted to sermons and addresses delivered at Constance. Of these Dr. Finke has collected about 250. Some had been printed by Von Der Hardt, Walch, or other scholars; but Dr. Finke discovered scores that had been lost for centuries. A number of these he has published in full, others in part. The sermons preached at Constance—at least those that are extant—were delivered to educated congregations, and so are in Latin. They are unquestionably of great value to the student of medieval thought, and Dr. Finke rates them very highly as authorities for the history of the council, which, he thinks, they illuminate more vividly than any other class of document.

In the third section of the book there are a number of tractates, memoranda, and other records concerning the reform of the church, the relation of the pope to the council, and the council's methods of procedure. The most notable of the documents in this part have to do with the proceedings of the various commissions appointed by the council to draft proposals for reform. Von Der Hardt long ago printed three series of *Avisamenta* on this topic. Hübler, in his well-known book *Die Constanzer Reformation*, argued that one of these was an interim report and another the final report of the first of the commissions, which sat from the summer of 1415 to that of 1417: the third series he regarded as the report of the second commission, which was working in August and September 1417. Dr. Finke, however, has found several manuscripts containing records and proposals resembling, though not identical with, those discussed by Hübler, and, in his opinion, a collation of the new materials with the old shows that we have no final report of any of the commissions, and that the outcome of their work is known only through the reforming decrees of the 39th and 43rd general sessions of the council.

What Hübler and many subsequent writers have treated as definitive reports are, like the similar documents newly discovered by Dr. Finke, memoranda or minutes of unknown provenance, which afford welcome information as to the procedure followed by the first two commissions and the course taken by their deliberations, but do not reveal the conclusions they ultimately reached. Such is Dr. Finke's contention; his proofs are weighty, and will probably meet with general acceptance, though they are hardly complete enough to remove the question from the range of controversy. While Dr. Finke's researches have confirmed accepted views as to the number and composition of the commissions of reform, it is noteworthy that he ascribes to the reform party a much more stubborn adherence to their principles, even after the election of Martin V, than they are usually supposed to have displayed. Indeed, the memoranda on reform which in December 1417 and January 1418 the German and French 'nations' respectively presented to the pope, do not in his eyes represent the first steps towards the conclusion of separate national concordats, but rather a final effort to secure a reform binding on all countries alike which would be promulgated by the pope after he had taken into account the suggestions laid before him by each 'nation'.

How far Dr. Finke's volume will necessitate the rewriting of the history of the council cannot be estimated until it has undergone a much closer scrutiny than we have been able to give it. A superficial survey on the whole confirms one's previous impressions of the course of events and of the parts played by the principal actors. To the English student it is particularly interesting to find that the new material in this book brings out more clearly than ever the singular influence exerted by the English 'nation', numerically so small, and the widespread respect which was felt for that very able and prudent man, Bishop Hallam of Salisbury. On the other hand, Fillastre's journal leaves no doubt that Henry V's attack on France and the alliance between him and Sigismund were among the chief causes of the council's failure to accomplish the high aims with which it began its work.

Whether his third volume appear soon or late, and whether its contents be bad or good, Dr. Finke has already, by his achievements as a collector of original material, won a high place among the modern scholars who have shed light on the middle ages.

W. T. WAUGH.

Γράμματα τῶν τελευταίων Φράγκων Δουκῶν τοῦ Αἰγαίου Πελάγους, 1438-1565. Ἰωσήφ Νάκης Ἰουδαῖος Δοῦξ τοῦ Αἰγαίου Πελάγους, 1566-1579. Τὸ Σαντζάκ τῶν νήσων Νάξου, Ἄνδρου, Πάρου, Σαντορῆνης, Μήλου, Σύρας, 1579-1621. By PERIKLES G. ZERLENTES. (Hermóupolis: Phrères, 1924.)
Μηλιγγοὶ καὶ Ἐξερίται Σλάβοι ἐν Πελοποννήσῳ. By PERIKLES G. ZERLENTES. (Hermóupolis: Phrères, 1922.)

K. ZERLÉNTES, the present reviewer, and Savvet Bey had already published letters of or about the dukes of the Archipelago.¹ K. Zerléntes has now

¹ *Byz. Zeitschrift*, xiii. 136-57; xvii. 463-70; *Δελτίον τῆς Ἰστ. καὶ Ἑθν. Ἑταιρίας*, vii. 427-33; *Revue historique publiée par l'Institut d'Histoire Ottomane*, iii. 987-93; iv. 1160, 1444-59.

added a Greek translation of Savvet Bey's Turkish originals and fifteen letters and documents now printed for the first time. His treatise also contains reprints of nine published in the *Turcograecia* of Crusius, the *Μεσαιωνικὴ Βιβλιοθήκη* of Sáthas, Duchesne's *Mémoire sur une Mission au Mont Athos*, the Athenian journal *Πανδώρα* in 1855, Rinieri's *Clemente VIII e Sinan bassa Cigala*, and Lamansky's rare work, *Secrets d'État de Venise*. He further gives Italian and Greek versions of two Turkish documents, already known in the French translations of Sauger and Pègues respectively, and the complete text of a document partially published by Curtius in his *Naxos*. Thus we have in convenient form much material for the mediæval and later history of the Archipelago, to which this learned scholar from Syra has devoted so much patient study. Diligent research in archives, combined with great local knowledge, has enabled him to prefix to his collection of documents an excellent summary and commentary, which form a valuable addition to the Frankish history of Greece.

The collection contains much interesting information about the social condition of the Cyclades in the late Italian and early Turkish period. We learn (p. 31) that there were Jews at Naxos before Nasi; a ducal document of 1565 graphically depicts the 'straitness of the times' on the eve of the Turkish conquest; we have a Greek translation of the very important firman granted to Giacomo IV, the last Crispo duke, in that year (pp. 73, 75); we are told the proportions of the Frankish to the Greek and Albanian households—50 or 60 to 1,800—in Andros in 1564 (p. 80); we find the 'laws of the empire of Romania' still in force as late as 1578 and even 1587 (pp. 98, 111); we hear of the sale of the ducal palace at Naxos in 1600 (p. 114); and we find Nasi's representative, Coronello, living on in Naxos eight years after Nasi's death. Among the Ottoman governors of the islands in that last period were a Chiote, Choniátēs, who called himself 'Duke of Naxos' and whose family name is preserved in the Chiote village of Choniátēs,¹ and the still stranger 'duke of Naxos', as he styled himself in a letter which puzzled Buchon, the Croat adventurer, Gaspar Gratiani,² who became prince of Moldavia in 1619. It is interesting to note that several local names still used at Naxos, e. g. Βόλτες, go back to the ducal days, upon which this work throws fresh light. By a slip, *πρίτος* had been printed for *δεύτερος* on p. 9. There is a new edition of Ross, *Reisen* (p. 15, n. 1).

The second and smaller pamphlet controverts in rather desultory fashion the famous passage of Constantine Porphyrogénnetos about the 'slavisation' of the Peloponnese. Fallmerayer's theory has been long ago refuted by Hopf and others and is scarcely worth attacking now. The author has, however, collected various allusions to the two Slav tribes which have given a title to his treatise, adding that Nezerá still survives as the name of a village near Olenos and Melingé as that of a hamlet near Astros. We may add Nezeró on the old Greek frontier in Thessaly, which was mentioned in the early days of the war of 1897. WILLIAM MILLER.

¹ Zolótas, *Γεωγραφία τῆς Χίου*, i. i. 536.

² Jorga in *Denkschriften der rumänischen Akademie*, xxi. 30.

The Life of the Icelandic Jón Ólafsson. Vol. i. Translated and edited by Bertha S. Phillpotts. (London: Hakluyt Society, 1923.)

JÓN ÓLAFSSON was an Icelandic who, tired of the daily round of his native land, set sail in June 1615 on board an England ship for foreign parts, armed with 400 lb. of codfish, a barrel of train oil, and two lengths of home-spun to meet his lawful expenses. After a short stay in England, during which he visited Newcastle, Harwich, and London, he went to Denmark, where he entered the king's regiment of artillery stationed at the arsenal in Copenhagen. He had been only three months in this service when he was drafted aboard a royal ship and sent to the White Sea, a voyage which he describes with considerable picturesqueness and literary skill. After four years of varied experiences at Copenhagen and Kronborg, he was once more sent north, this time to Spitzbergen. Here, he says, some two years earlier an Englishman had, for a wager, lived alone the whole winter through; 'at times he would read, at times sing, at times play on his viol which he also had with him and sometimes he made heel-pieces for black wooden shoes: of these he made a whole barrellful', and when the English came again next summer 'they heard him within singing to a fair melody a poem of 100 stanzas which he had composed in the winter', while close at hand lay 'three dead Polar bears that he had shot through the window'. In the autumn of 1620 Jón fell on evil days, for, having incurred the enmity of Grabow, the chief master of the arsenal, he was imprisoned for some months for neglect of duty and, indeed, narrowly escaped execution. He was ultimately pardoned by King Christian and made a voyage with him to Bergen, and this volume of his diary ends with his enlistment as a gunner on a royal ship bound for the East Indies.

The diary does not add materially to our knowledge of the events of this period, but it enables us to look at them from a fresh point of view, that of a gunner's mate, a man of the lower middle class. The simple vividness of his style, even the very fact that he could write at all, he probably owed to the accident of his Icelandic birth, for the rudiments of education were far more common there than in Denmark itself. Hence this record is almost unique in the angle from which it views the whole life of the Danish court. The maritime ambitions of Christian IV can indeed be discerned, but of his continental intrigues nothing is heard, and what one really sees is not Christian, king of Denmark, but Christian the man 'made merry by wine', or labouring side by side with his men pulling up tree-trunks, or riding round at six in the morning to see the casting of a bronze group for his gardens at Frederiksborg and then by his impatience nearly ruining the whole work. Unfortunately for the student of English history Jón's stay in this country was short, and as he could not verify for himself the truth of what he was told, his account of England is in many respects quite unreliable. It is interesting to note, however, that he records having seen in London 'compasses (i. e. finger-posts) placed in the streets at frequent intervals' to guide the traveller through the maze of houses. Miss Phillpotts is to be congratulated on a very sound piece of work. She has contributed a valuable introduction, some excellent illustrations, and a large number of explanatory notes, in addition to

translating the diary from the Icelandic edition of Mr. Sigfús Blöndal, and the second volume, which will contain Jón's account of his voyage to India and his life at Tranquebar, will be awaited with considerable interest.

E. R. ADAIR.

The Journal of Sir Simonds D'Ewes. Edited by WALLACE NOTESTEIN.
(New Haven: Yale University Press, 1923.)

THE importance of the publication of this first instalment of D'Ewes's *Journal* (extending to 20 March 1641) is too obvious to need emphasis. As the long parliament is the most famous in English history, so is this the most complete of all parliamentary diaries. It is no exaggeration to state that it is by itself more valuable than all the other private accounts of that memorable assembly. Its high value is further enhanced by the remarkable industry and extensive knowledge of its editor, who has shrunk from no toil in his efforts to produce a model volume. He has not been content merely to edit both the version of the *Journal* which D'Ewes himself revised and the rough notes he had no time to write up, but has supplied in addition long extracts from all known diaries still in manuscript, whenever they furnish supplementary details. He has also given abundant references to the *Journals* of both houses of parliament and to other printed sources. The result is that the student has now in this one volume not only the best account of the debates in the long parliament, but also a guide to all other accounts. An almost unique feature of the long parliament is that debates in committees as well as in formal sittings are reported by D'Ewes and other diarists. Thus our knowledge of its proceedings is much more comprehensive, as well as more detailed, than for any other seventeenth-century parliament.

Thanks to the labours of S. R. Gardiner, who used D'Ewes, the general outlines of the history of the long parliament are well known, and striking revelations are not to be expected. Nevertheless there are some interesting additions to our knowledge even of incidents already so elaborately studied as the preliminaries to Strafford's trial. The order of events on 11 November 1640, when the decision to impeach Strafford was taken, and the parts played by Clotworthy and Pym, are now much clearer. Another point is that on 26 February 1641, during a debate on Strafford's answer to the charges made against him, Digby suggested a bill of attainder as the best and only way of securing justice against the earl, because the lords might have scruples in pronouncing his offences to be treason. The next day the debate on this suggestion was resumed, when 'divers spake to it and all declined a bill' (pp. 411, 415-16). This is important, because Gardiner believed that the idea of a bill of attainder originated on 10 April.¹ It is now certain that the commons then adopted a method of procedure they had deliberately rejected six weeks previously. This speech of Digby seems to contradict Gardiner's inference that the queen had 'already gained him over' before the great debate on ecclesiastical petitions on 8 February. Incidentally it both explains the failure of

¹ *Hist. of England*, ix. 328-30.

Digby's later defence of Strafford, and makes it harder to understand why Charles I came to place excessive reliance on this volatile counsellor.

It is natural that so detailed a narrative should be invaluable as a guide to the procedure of the house of commons, and its gradual adaptation to cope with constantly increasing business. Since it is believed that Professor Notestein intends to deal with this subject in a separate treatise, no further reference need be made to this very fascinating topic, beyond the comment that adequate materials are available here and nowhere else. The attention of the student of parliamentary electioneering may be drawn to the rich mine now laid open to his inspection. A flood of light is thrown upon the motives which determined decisions on disputed elections by the remarks of D'Ewes about the division on the return for Salisbury :

I knew many gave their voices out of affection espetiallie for the sake of the Earle of Pembroke Lord Chamberlaine of his Majesties household . . . and yet I was exceedingly troubled to see a busines for which upon all the debate I had heard in it I could see noe couler of Justice or law to bee carried by soe great a number of voices against the vote of the religious and sound men of the Howse.

A question that would well repay investigation is how far Pym and his associates were actuated by political motives when deciding these disputed elections or when reviving obsolete claims to parliamentary representation. It may be added that this volume, and its successors, will render necessary a revision of the accounts of the parliamentary activities of members whose lives are in the *Dictionary of National Biography*. Something material can already be added to nearly every biography ; some, such as Digby's, will clearly need rewriting. Moreover, this new evidence is not confined to members of parliament : biographers of victims of absolutism such as Burton, or of delinquents such as Cosin, can find some new details in this volume. Those interested in the political career of Archbishop Laud may be grateful for a striking example of his peculiar humour. When a suspect in the court of high commission desired to be satisfied in conscience before taking the *ex officio* oath, the archbishop told him the walls of the Fleet would satisfy his conscience, and ordered the jailer to remove him.

A tribute should be paid to the high standard of accuracy prevailing in the notes. Errors of commission or omission are very few and unimportant. The author of *Studies and Illustrations of the Great Rebellion* spelt his name Sanford (not Sandford). The christian name of the lord mayor, Parkhurst, was Robert (not William). The Dr. [Thomas] Chafin can be identified from Foster's *Alumni Oxonienses*. Gauden is the reputed author of *Eikon Basilike* (not Basilikon). While A. Kingston's *Hertfordshire during the Great Civil War* has been consulted profitably, some other similar works, which would also supply some identifications, have been ignored. Thus it is clear from Mr. A. R. Bayley's *The Great Civil War in Dorset* that the minister referred to on p. 313 was the well-known John White. Such trivial oversights as these are inevitable in all detailed work, and in no way diminish the admiration roused by an examination of this volume. When Dr. Notestein has completed his edition of D'Ewes he will have erected a lasting memorial to American scholarship. Then indeed will be fulfilled John Bruce's prophecy, now eighty years old, that ' we may

come to know the Long Parliament as thoroughly as if we had sat in it'. However, thanks to Dr. Notestein, we shall be spared 'much plodding and the exercise of infinite patience', to which the antiquary so feelingly alluded.

GODFREY DAVIES.

Report on the Manuscripts of Earl Bathurst preserved at Cirencester Park.
(Historical Manuscripts Commission. London: Stationery Office, 1923.)

THIS valuable collection includes a few letters of the later Stuart and early Hanoverian periods, but the great mass consists of the correspondence of the third Earl Bathurst (1794–1834). The second letter is that of Sir Allen Apsley from the flagship *Royal Charles*, at the battle of Lowestoft (3 June 1665), giving a highly coloured account of that affair, magnifying the Dutch losses, and (curiously enough) not mentioning the order said to have been given during the pursuit by Brouncker (perhaps at the duke of York's orders) to the captain to shorten sail. Far from that, Apsley describes the pursuit as strenuous and highly successful, until only forty-eight Dutchmen escaped into the Texel. As the writer exaggerates the duke's bravery—'without doubt the most valiant man alive'—probably he designedly slurred over the incident. Apart from the Lennox letters in the 'Addenda' and six letters of George III in 1780–3, there is little of interest until the year 1794.

Letters between the duke of Richmond and Pitt throw light on the resignation of the former early in 1795 (pp. 706–10); and Pitt's letters in October 1801 show his deep concern at the retrocession of the Cape by the Preliminaries of London: but Grenville deemed him 'bound to support the peace such as it is'. As Lord Camden (p. 28) termed Pitt's support of the Addington administration 'strenuous', and Lord Grenville's opposition to the peace 'violent and intemperate', clearly the divergence between the two cousins dated from that time, and not merely from the question of including Fox in Pitt's second cabinet. On the latter topic is a long and important memorandum of Bathurst (pp. 34–41), which, *inter alia*, reveals the suspicion of the Foxites that Pitt had not pressed Fox on the king in a sufficiently peremptory manner. It also describes an intrigue of the prince of Wales, shortly after Easter, 1804, to bring over Pitt to his views for the regency then apparently imminent. Pitt's letter of 27 September 1805 (after his interview with the king at Weymouth) shows the keen hostility of the latter to Lord Grenville, and his resolve never to admit any member of the opposition.

It fell to Bathurst as president of the board of trade in 1807–12 to regulate according to circumstances the policy expressed in the orders in council, but apart from two papers on pp. 69 and 87 no noteworthy document of his survives. Fortunately his account of the Canning-Castlereagh dispute is long and clear, and his offer to resign in order to facilitate a solution is creditable. Indeed, the impression derived from these papers is that Bathurst's good sense and capacity have been underrated. All public men from Pitt to Wellington valued his advice and co-operation. The correspondence during his tenure of office for war

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and the colonies is of too varied an interest to be noticed here. It is to be regretted that the editor has not printed Bathurst's instructions of 30 July 1815 to Rear-Admiral Sir George Cockburn of H.M.S. *Northumberland* concerning the treatment of Napoleon during the voyage and at St. Helena ; for Forsyth's *Captivity of Napoleon*, in which they appear, has long been out of print. On the other hand, the editor's introduction and index merit praise. He successfully rebuts Lord Rosebery's statement in *Napoleon : the Last Phase*, that Bathurst filled ' the most dazzling offices with the most complete obscurity '.

J. HOLLAND ROSE.

The Spencer Papers. Vol. iii. Edited by Rear-Admiral H. W. RICHMOND.
(London : Navy Records Society, 1924.)

THIS third volume, dealing with the years 1799–1801, equals its predecessors in interest, and it is good news that a fourth will appear, for there are many naval episodes of the revolutionary war which need elucidation. A large part of this volume deals with personal matters which often merge into questions of policy. Among them is the desirability, owing to his failing powers, of removing Lord Bridport from the Channel fleet (August 1799) in spite of the difficulty of finding a successor. (A note should be added to Sir William Parker's letter of 18 April 1799 on p. 35, which states that Bridport had then just resigned. He did not do so until April 1800.) Spencer's desire may well imply some degree of censure on Bridport for failing to prevent the exit of Bruix's great fleet from Brest on 26 April 1799. Unfortunately, there are few documents here which throw light on that event. Bridport's brief letter of 30 April merely states that Bruix ' sailed yesterday ' (!), and makes no mention of a fog as contributing to his escape. Why Admiral Young at the Admiralty should inform Spencer that Bruix escaped ' in a thick fog ' (p. 58) is hard to understand. James, relying on the report of Captain Fraser of H.M. frigate *Nymphe*, which sighted Bruix at 9 a.m. on 26 April, says nothing about a fog ; and another report states that Bruix put out with a strong north wind, which usually dispels fog. The whole affair therefore remains a mystery. The editor (pp. 46–50) cautiously withholds judgement, chiefly on the ground of Bridport's weakness in frigates ; but as he had two, and knew that conditions favoured a sortie, his movements seem to have been ill-judged. Certainly the results were very serious ; for not until 14 May was Spencer sure that the French had gone south and not to Ireland, whither Bridport had proceeded. Meanwhile our Cadiz and Mediterranean squadrons were in grave danger, as appears from pp. 60–95. With the editor's introduction and M. Georges Douin's recent work, it is now possible to solve the riddle of Bruix's strangely ineffective cruise.

Spencer's private letter of 18 August (p. 97) to Nelson somewhat softens the reproof of the admiralty for his having dispatched 1,000 seamen as far inland as Capua during the dog days, also for disobeying Keith's orders to concentrate at Minorca ; but reproof, though attenuated, is still implied. The appointment of Nelson in April 1798 to the Mediterranean squadron had elicited bitter complaints from Sir W. Parker, all the more so because Nelson had refused to give him due credit for his undoubtedly

great services in H.M.S. *Prince George* at Cape St. Vincent. The choice of Nelson seems to have occurred not only to Spencer and St. Vincent, but also to the king¹ and Sir Gilbert Elliot. The editor quotes from Ralfe's *Naval Biography* (ii. 55 n.) the assertion that St. Vincent at first warmly approved Parker's written protest and thought it 'not half strong enough'. This version conflicts with the statement of St. Vincent (in his letter of 22 June to Nelson) that he sought to prevent that protest as well as that of Sir John Orde, and that the authors would 'both be ordered home the moment their letters arrive'. How Parker came to believe that St. Vincent approved his protest (p. 28) is an enigma which these letters do not clear up. Vice-Admiral Sir Alan Gardner's complaints about Spencer's neglect of him (pp. 304-9, 328) reveal a state of friction which must have weakened the Channel fleet.

More interesting are the plans for defending the West Indies and attacking Brest, the Helder, Belleisle, Ferrol, and Cadiz. As to the West Indies, there are proofs (especially on pp. 231, 290) of the great importance attached to those islands. Admiral Sir Hyde Parker, when in doubt as to the destination of the Franco-Spanish fleet which got out from Cadiz in August 1796, decided at once to go to Barbados, as did Calder and Nelson in not very dissimilar circumstances in 1799 and 1805. Another noteworthy point is the value set by naval officers on Cape Nicholas Mole (Hayti) as a far more healthy and central post than Port Royal, Jamaica. Military reasons for the evacuation of Hayti were strong; but the seamen were dead against losing the mole.

The undated 'Information for Mr. Dundas' printed on pp. 288-90 is placed between two letters dated January 1801; but the last sentence, referring to Sir Ralph Abercromby's return to England, shows it to belong to the summer of 1797.

The diffuse and unsatisfactory attempts against the hostile coasts in 1799-1800 receive little elucidation from this volume, except in regard to the Belleisle venture. Up to mid-August 1799 ministers preferred to attack Walcheren rather than the Helder; but it seems from Abercromby's letter of 14 August that his was the decisive influence in favour of the latter objective. His nervousness when off Cadiz (October 1800) owing to reports of the plague in that city accounts for that failure, which St. Vincent pronounced 'worse than Ferrol'. Taken singly, these attempts were discreditable. But much can be said for an offensive policy which compelled Dutch, French, and Spaniards to spread out their forces to several likely points. Desbrière proves that 30,000 French troops were thus held between Brest and Pontivy. Why no serious attempt was made to draw them away either towards the Loire or St. Malo, in order to facilitate a heavy blow at Brest while lightly defended, is matter for conjecture. Except in regard to the Helder and Belleisle enterprises, feinting seems not to have occurred to the authorities concerned.

J. HOLLAND ROSE.

¹ See Nicolas, *Letters and Despatches of Nelson*, iii. 28.

Les Cent Jours. Par ÉMILE DE GALLO. (Paris : Alcan, 1924.)

THIS volume belongs to the well-known series 'Bibliothèque d'Histoire Contemporaine'. M. de Gallo admits that the story of the Hundred Days has often been told, but he claims, justifiably, that there are still facts to be discovered, and also that a fresh study of already ascertained facts yields new information. In particular, M. de Gallo advances as the chief *raison d'être* of his work, that he has been able to interpret the Hundred Days from a predominantly social and economic point of view in place of the political interpretation which has hitherto prevailed.

The work was certainly well worth doing. M. de Gallo maintains, and supports his view with numerous references to contemporary sources, that Napoleon was not personally popular during the Hundred Days, although, if he had adopted a 'Jacobinical' policy, he might easily have aroused the enthusiasm of the masses. He was accepted in France, after his passage from Elba, not because of the magic of his name, but because the bulk of the French people were passionately attached to the social and economic results of the Revolution, and because they feared that the restored Bourbons were going to destroy these results. In particular, people who in the course of the Revolution had acquired national property or property of the former *noblesse* were afraid that they would have to give it back. The peasantry, moreover, feared that feudal services would be reimposed. There was also discontent among the agriculturists and traders because Louis XVIII did not adopt a highly protective policy of national economy such as prevailed in England. In addition to these economic causes of Bourbon unpopularity, there were the numerous grievances (which M. de Gallo fully allows for) of the former Napoleonic troops who were taken into the royal service and sent to monotonous garrison towns, and of the Napoleonic officers who were dismissed or reduced in pay and prospects.

Napoleon's decision to return to France at the particular moment which he chose was chiefly due, in M. de Gallo's view, to a Bonapartist plot in France. Indeed, there appears to have been more than one plot. Fouché was conspiring for a restoration of the Napoleonic dynasty in the person of the king of Rome, under a regency which, presumably, would have been that of Marie Louise. The faithful Maret, duc de Bassano, was conspiring for a restoration of Napoleon himself. Of one or other of these plots Napoleon was cognizant, and he crossed from Elba in concert with the conspirators.

Having crossed to France and been restored to the throne, Napoleon might have become a dictator and started a *levée en masse* for the defence of the country. He toyed with the idea but ultimately rejected it, and became instead, in M. de Gallo's words, 'the prisoner of the liberal bourgeoisie'. The liberal *bourgeoisie* did not like Napoleon, but since the first restoration of the Bourbons they had lived in fear of a withdrawal of the *Charte* by Louis XVIII; so they clearly used Napoleon to make their gains permanent. These gains were chiefly the freedom of the press and a parliamentary system based on a very moderate franchise. The leader of these liberals was Benjamin Constant, under whose influence the

Acte Additionnel, the constitution of the restored empire, was drafted, and was adopted by Napoleon. But the *Acte Additionnel* was something of a compromise and did not satisfy the liberal *bourgeoisie*, who went on criticizing it in the chamber and in the free press, and so weakened Napoleon's position, at least in Paris.

M. de Gallo does not profess to make many startling revelations. He is careful and exact and never goes beyond his authorities. His style is clear and easy, although it has not the strength and brilliance of Houssaye, whose immortal trilogy on the year 1815 naturally occurs to the reader's mind. M. de Gallo's work does not profess to be a complete account of the Hundred Days, and in popularity it can never vie with Houssaye. It is not, however, merely a work of erudition. It is full of varied material; it has some interesting personal sketches, particularly of Carnot and Benjamin Constant during 1815; it is thoroughly well proportioned, and in its careful bringing of economic and social matters into the light it is a really valuable supplement to the work of Houssaye. R. B. MOWAT.

Bakunin. Vol. i: *Bakunin-Romantik*. By VYACHESLAV POLONSKI. (Moscow: Gosudarstvennoe Izdatel'stvo, 1922.)

In 1921 M. Polonski published the full texts of the 'Confession' of Bakunin, including Nicholas I's pencilled remarks on it (1851), and of his letter of 14/26 February 1857 to Alexander II, both written in prison (*M. A. Bakunin. Ispoved.*). These documents were preserved along with five other bundles of papers relating to Bakunin in the archives of the third section of the tsar's private chancellery. Knowledge of the 'Confession' had previously been, almost entirely, confined to one passage in a letter of Bakunin to Herzen.¹ Its publication is therefore of special interest, and it is the use made of it which gives exceptional value to the first volume of M. Polonski's life of Bakunin. He gives numerous quotations from this extraordinary document, and he does much towards substantiating the main point of his treatment, which is to show how very far the Bakunin of the forties was from the Bakunin of 1863-76. Precisely how far his use of the 'Confession' can be justified depends primarily on a study of its full text, and it is to be regretted that it was not republished as an appendix: presumably its length—ninety-one printed pages—prevented this. Personally the full text satisfies me that Bakunin omitted little if anything which was of essential consequence to his development as expressed in action during the years 1840-9. M. Polonski goes further in his emphasis on the distinction between Bakunin the romantic and Bakunin the anarchist, and at times he leaves the reader wondering how in his second volume he will build any satisfactory bridge between the two. His discussion of Bakunin's motives in thus flinging himself—or appearing to fling himself—spiritually naked before his 'spiritual father' is sound and sensible, but lacks illuminating subtlety of insight. He comes to the conclusion that it was written both as a sincerely repentant avowal of past sins and as a possible means of securing his future liberty, to be dedicated as before to the cause of revolution. One important person

¹ *Correspondance de Michel Bakounine*, Paris, 1896, pp. 115-16.

differed from this estimate. Alexander II saw no repentance: on his accession he struck out Bakunin's name from the amnesty list. The book is well arranged, and the full and scholarly notes show the author as master of the previous literature on Bakunin in Russian and German, and as possessing much independence of judgement. He is specially useful in bringing out the untrustworthiness of Herzen's memoirs as a source for the incidents of Bakunin's life. There is, in addition to the 'Confession', a considerable amount of new material drawn from the archives of the third section; most of this is not, however, of great interest.

The main impression that M. Polonski gives—and means to give—is that of a well-born Russian intellectual; losing any class ties or personal roots; for many years consumed with Fichte, Hegel, and Feuerbach; after his first Berlin period abandoning metaphysics for political and social theory at Zürich, Brussels, and Paris; then after these years of loneliness and 'inactivity' finding himself in 'life', i.e. the mobs and barricades of Paris, Prague, and Dresden. The chapters on these revolutions are particularly good. The book closes with Bakunin's escape from Siberia and his return to western Europe in 1861. M. Polonski holds that prior to the Polish revolution of 1863 Bakunin did not approach the working out of any programme of anarchism. Little concerned with organization for revolution, he was content to hurry to the scene of action and 'live' revolution (but already during the winter of 1848–9 his schemes for a Czech revolution require a qualification here). He gyrated in a far-flung maze of hyperbole. Only as regards his pan-Slavism could he perhaps be said to have put forward something approaching a definite programme, e.g. in his 'Basis of a Slav Federation', and in his 'Manifesto to the Slavs', in which he called upon the Slavs to destroy the Habsburg and Romanov monarchies, with assistance from the German people and the Magyars. His weakest point here was not so much his failure with the Poles as his fantastic misjudgements of the internal conditions of Russia and of the power of tsardom. His language might have been true of 1916; it bore no relation to the realities of 1848. Herzen justly said that he mistook two months' pregnancy for nine months'. As M. Polonski well illustrates, he was in this respect nothing but an impassioned, prophetic dreamer: it was not a question of *Dichtung und Wahrheit*; only of *Dichtung*. One of the most vivid pages of the 'Confession' describes his plans when he was making for the Posen frontier in 1848; these plans, he admits, were nothing but hope in the efficiency of propaganda (for which he had no money) and faith in 'the mighty spirit of revolution'. It is not surprising that Marx and Bakunin found little in common even in these early days. Marx regarded the pan-Slav movement as a cloak for the extension of tsardom, and as meaning the subjection of the town to the country, of trade and industry and science to semi-servile, agricultural ignorance. Years later Bakunin frankly acknowledged that Marx was just as right in this as in his opposition to the ridiculous Bornstedt escapade. M. Polonski allows that Bakunin almost from the first felt stifled in the Marxian atmosphere, but he maintains that there was no decisive breach between the two men during the years covered by this volume, and that the reason for their later hatred of each other lay primarily in the divergence

of their views on revolutionary and social organization rather than in personal incompatibilities. And in these years Bakunin, according to M. Polonski, had no expressed programme of a sufficiently definite nature, except partially as regards the Slavs, to arouse Marx's consistent enmity. M. Polonski perhaps scarcely gives due weight to the evidence, which he quotes, of their mutual misunderstandings, disagreements, and antipathies, and his judgements seem to rest too much on the very candid admissions which Bakunin at various subsequent times made as to Marx's strong points and correctness of view. Naturally, however, it is impossible to judge adequately the author's treatment of Bakunin's relations with Marx from this first volume alone.

B. H. SUMNER.

A History of the Peace Conference of Paris. Vol. vi. Edited by H. W. V. TEMPERLEY. (Published under the auspices of the Institute of International Affairs. London: Hodder and Stoughton, 1924.)

THIS is the concluding volume of the great enterprise, carried through under the editorship of Mr. Temperley, of providing a contemporary record of the circumstances, methods, problems, and results of the Paris peace conference. It is very easy to criticize a production of this nature on the score of overlapping and on the score of change or indecision in plan leading to unwieldiness and bad arrangement. Such criticism is really beside the point, however justified by detail. The second charge is, indeed, virtually admitted in the editorial foreword to this volume, but it is also fairly met. The *History of the Peace Conference of Paris* is really the material, much of it first-hand, for the history of the international 'settlement' by treaties of multitudinous problems affecting the greater part of the world. It was from the nature of the case impossible for a small number of human beings at Paris to grapple simultaneously or adequately with them all: it was equally impossible for these problems to remain as it were static: the march of events stays not even for the council of four; thus the 'settlement' was spun out with interlacing complexity over nearly five years; and thus the contemporary history of this 'settlement' is bound to be to some extent a mirror of much weary 'irregular jostling and heaving'.

This sixth volume, except as regards the treaty of Lausanne, closes with the end of 1922. It deals first with the Turkish and Middle Eastern problems, secondly with Bolshevik relations with the West and the foundation of the Baltic States and Poland, thirdly with certain extra-European treaty arrangements or developments (Shantung, the international status of the Dominions and India, the attitude of the United States senate to the treaty), and finally with international developments through the League of Nations. The last section includes specially valuable contributions from Mr. J. R. M. Butler on the making of the covenant, from Professor P. J. Baker on the permanent court of international justice, and from Mr. Ormsby-Gore on mandates: texts of typical mandates of each of the three classes are given in an appendix (Samoa, East Africa, Syria and the Lebanon). The book closes with an admirable epilogue consisting of general considerations on the peace conference and its aftermath: the opportunity is here taken of utilizing some of the

numerous revelations which were not available when the first three volumes were written : in particular special attention is paid to Mr. Lloyd George's memorandum of 25 March 1919. Perhaps one suggestion may be put forward : would it be feasible to collect in one convenient and moderately priced volume the various contributions in volumes i, ii, v, and vi dealing with the League of Nations and the legal basis of international relations ? Might it also be possible to include in such a reissue Professor Webster's survey in volume i of the organization and executive working of the conference, together with the epilogue to volume vi ? Some such collection could not fail to make more readily accessible much material and experience of the utmost value. Volume vi opens with an account of the Near and Middle Eastern Agreements made during the war ; there is a map illustrating these. Professor Toynbee deals with the non-Arab territories of the Turkish empire in relation to the treaties of Sèvres and Lausanne (there are maps for both). Dr. Hogarth follows by tracing with masterly concision the relations between Great Britain and the Arabs up to the armistice. There then come three excellent contributions on the French and Syria and Palestine, on Zionism, and on Mesopotamia, the last a particularly telling piece of writing. Egypt and Persia close the Middle Eastern part. On the whole the problems dealt with in connexion with the Bolsheviks and the Baltic States are less satisfactorily handled, and there are a few slips of detail. Transcaucasia does not seem to find a place in any volume of the series. Mr. Paton's long chapter on the resurrection of Poland is very able and judicious ; he combines admirably first-hand judgements on the handling of the Polish questions at Paris with clear exposition of the problems themselves and with appreciation of the Polish attitude and traditions. There are sketch-maps of Upper Silesia (too small), Dantzic and East Prussia, and the western frontiers of Russia. Among the documents appended may be mentioned the San Remo Oil Agreement, the French Angora Agreement of October 1921, the award made after the Upper Silesian plebiscite, the allied secret agreements with Japan in 1917, and the 1921 treaty between the United States and Germany.

The editor, in his foreword to volume i, emphasized that the volumes he was to produce would inevitably suffer from lack of perspective ; that is true of some portions of his earlier volumes, but there seems little in this one. At the beginning of it the editor says that ' . . . it is only in this generation, and by the evidence of contemporary writers, that the knowledge of certain facts and opinions can be preserved. If only a few of these are recorded or indicated in this history its purpose will have been amply achieved.' There is no doubt whatever as to this achievement.

B. H. SUMNER.

The Agrarian Revolution in Roumania. By IFOR L. EVANS. (Cambridge : University Press, 1924.)

THIS is a very valuable and interesting study, partly historical, partly economic, partly political and social, of the transformation of Roumania from a land of large proprietors into a country of peasant owners. Starting

from the thesis that 'the war hastened, but it did not cause the Agrarian Revolution', Mr. Evans traces briefly the agrarian history of 'old' Roumania and of the 'new' Roumanian provinces, united with it since the war. He has gone to the best Roumanian historians—and, as he observes, there are some 'of European repute'—for the facts of this historical survey. He shows the very different agrarian conditions prevalent in Roumania proper from those of the Bukovina, where the autocratic Habsburg monarchy had protected the peasants against the landowners, and from those of the southern Dobrugea, where the democratic Bulgarian occupation from 1878 to 1913 had also favoured the small holders. He describes the Jewish exploitation of Moldavia and closes his pre-war review with a summary of the Peasant Revolt of 1907. There follows an account of the new agrarian legislation. The author attributes to the good sense of the shrewd peasants and to the voluntary sacrifices of the landlords in their own interest the surprising fact that Roumania 'passed through the trials of defeat and of a hostile occupation without any social upheaval of any kind'. He mentions the king's proclamation on the battle-field of Marăsești, promising the division of the Crown domains among the peasant soldiers (p. 102 n.), which was the prelude of the decree of 15 December 1918. He points out that in the 'new' provinces the break-up of the large estates has involved the transference of the land from foreigners to Roumanians, and has thus had a national, as well as a social, result by diminishing the prestige of the alien aristocracy there, which previously boasted, as in the Bukovina, of its 'German education'. While these dispossessed alien landlords complain, those peasants who are aliens, such as the Magyars in Transylvania, find their lot 'lighter than that of their fellows in Hungary'. But, although the agrarian revolution has coincided with the grant of universal suffrage, politics go on much as before, except in the domain of taxation. As regards culture, it seems probable that the French varnish of the Roumanian aristocracy will make way for a really national literature. Temporarily, however, Roumanian learned societies find their endowments curtailed by the expropriation of their estates.

This valuable book deserves the attention of statesmen. Its utility is increased by two maps, one historical, one physical. A few errors are noticeable. Thus the battle of Kossovo was not in 1363 (p. 11), and agrarian reform began in Greece before 1923 (p. 186 n.), for the break-up of the big Thessalian estates formed part of the Venizelist programme.

WILLIAM MILLER.

Early Burgh Organization in Scotland. Vol. i: *Glasgow.* By DAVID MURRAY. (Glasgow: MacLehose, 1924.)

A WORK which, so its author tells us, was originally inspired by Maine's *Village Communities* (1871) and which, from internal evidence, appears to have been practically complete so far back as 1907, has more than complied with the Horatian warning against over-hasty publication. To its having been so long in hand and then so long withheld from the press there may be traced certain signs of mingled old age and (if one may

so say) immaturity, coming out on the one hand in such a hoary misnomer as the 'Mark' system and on the other in oversight of some of the more recent literature of the subject, as, for instance, the late Mr. Ballard's article on 'The Theory of the Scottish Burgh' in the *Scottish Historical Review* of 1913. Still, it must be confessed that the last twenty years have been relatively very infertile in this field of study, and with the limitation just indicated Dr. Murray's knowledge of its literature, both English and foreign, is remarkably wide. Some may think that a readable narrative is rather overweighted with foot-notes, but their needs are anticipated in the provision of a full index. It would not have been amiss, however, if a certain number of references to more or less obsolete books and theories had been winnowed out, and the limitation expressed in the title is not carefully observed either in text or notes. Extreme cases are the four pages devoted to Glasgow fair and its literature in the nineteenth century and nearly thirty to the growth of Glasgow trade since the union, and a full account of Adam Smith and his predecessors in economic teaching at the university. The very full use which is made of the early history of other Scottish burghs is another matter, for the truth is that Glasgow itself is singularly ill fitted to illustrate the growth of the medieval burghs of Scotland. Its pre-Reformation municipal records have completely perished, and apart from a few charters and scattered documents in the register of the see and elsewhere, its historians have to rely chiefly upon inferences from other boroughs the history of which is more fully recorded. In such a case the risks of conjecture become great as the period of origins is approached, and there is a tendency to antedate later burghal conditions, for which the acceptance of the *Leges Burgorum* as in the main of David I's time is largely responsible. Dr. Murray is firmly convinced that Glasgow was a burgh as early as the eleventh century, but he has obvious difficulty in reconciling this conviction with the charter of William the Lion (1175-7) authorizing Bishop Jocelin and his successors to have a burgh with a market there and granting the king's peace to the burgesses 'qui in predicto burgo manentes erunt'. If there could be any doubt that the charter was not one of confirmation, it is removed by Jocelin's grant to Melrose Abbey of a toft which had been built 'in the first building of the burgh'.¹ The suggestion that what King William did was to found *more Gallico* a new *bourg* or *ville* on the low ground beneath the old *cité* round the cathedral is a desperate one and inconsistent with a previous statement (which cannot be accepted) that there was no building in the river quarter until the thirteenth century. Sir James Marwick's scepticism as to the previous existence of a market cross in the upper town is not contested, and we are asked to believe that Glasgow was originally a purely agricultural community, that in fact every early burgh was so (p. 44). 'Trading was not the basis of the burgh constitution' (p. 13). Yet Dr. Murray is well aware that the burgess holding in the town fields was inadequate as a sole means of support (p. 596). He is unable to draw the natural conclusion therefrom because he has somehow derived from Maine the idea that all boroughs developed out of free self-governing communities

¹ The burghal existence of St. Andrews is also antedated by Dr. Murray, who translates *instaurare* in its first charter by *renew* (p. 71, n.).

of early date, which stood out like islands in a sea of later unfreedom. This is not more likely to have been the case in Scotland than it was in England.

Another result of the scarcity of early sources is a tendency to anticipate later developments. Thus *liberi burgenses* are defined as 'freemen', in the sense of privileged citizens (p. 13). This is of course an absolutely unhistorical interpretation of the phrase which originally distinguished burgesses not from less privileged inhabitants of the borough, but from less fortunate tenants at large.

In later times, when evidence becomes abundant, there is much less room for criticism, and students of English municipal history will find the book a very convenient repertory of the similar and dissimilar features of borough organization in the two countries. A comparative study of Scottish conditions has been somewhat neglected and with unfortunate results. Even the late Mr. Ballard, who did make some study of the northern burghs, would have been saved from one unlucky mistake, had he had this book before him. His suggestion that the 'intoll and uttoll' which is mentioned in one Durham charter and nowhere else in English documents was a toll taken on the entry and removal of goods at the town boundary is shown by Scottish practice to have been a bad guess. The names in question were given there to the small conveyancing charges levied upon the buyer and seller of a burgage tenement. The mobility of the burgage by sale, with the usual distinction between inherited and purchased land, is well illustrated, but a right of devise does not seem to be mentioned. The burgage rent at Glasgow was 5*d.*, but it is surely erroneous to refer it, as Dr. Murray does, to the Saxon shilling of that number of pence. The area in which that shilling was in use before the Norman conquest was separated from the north by Mercia with its shilling of four pence; and Dr. Hemmeon's list of house-gable rents shows that this was not one of the Scottish borrowings from Winchester, via Newcastle-on-Tyne.¹ It is much more likely to have been a fourth part of the larger ore of twenty pence.

The evolution of town councils is not as clear as daylight either in England or Scotland, and Dr. Murray handles it with some uncertainty; but if he is right in identifying the 'dusane', which evidently corresponded to the twelve capital portmen who, according to the Ipswich Domesday, were to be found in every English free borough, with an administrative 'assize' or 'inquest' which makes an occasional appearance, a possible ray of light is thrown upon the problem south of the border. A further point of contact is missed by the identification of the four 'ferthingmen' of the Berwick Guild Statutes as town bailiffs. They were officers of the merchant guild there, as they were at Barnstaple and Guildford and possibly elsewhere. The proximity of Berwick to England made it more open to southern influence. It was the one Scottish town which had a mayor as its chief officer.

Dr. Murray's chapter on the merchant guild should be read with that of Gross, of which it is largely a criticism. The 'shadowy' guild, however,

¹ A different and curious loan from England was the wapinschaw twice a year, as set out 'in Wyntoun laws', i. e. in the Statute of Winchester, 1285 (p. 222)

entirely under the control of the town authorities, was not peculiar to Scotland, and the assertion first that the deans of guild courts had no trade jurisdiction at all (p. 470, n.) and afterwards that they had gradually assumed it before the sixteenth century (p. 476) reminds one of a familiar legal pleading. The criticism of accepted views of the struggle between the merchants and the crafts in the sixteenth century has much more force against the brief summary quoted from Professor Unwin's *Industrial Organization* than against the full account from documents in Gross.

The volume is furnished with a good clue map, reproductions of old maps and plans, and a few illustrations of old Glasgow. Those of Roman coins and of a bowl of Samian ware found on Glasgow Green in 1776 are characteristic of the rather discursive plan of the book.

JAMES TAIT.

Abhandlungen zur Geschichte der Philosophie des Mittelalters, Festgabe Clemens Baeumker zum 70. Geburtstag. (Münster in Westfalen: Aschendorff, 1923.)

THIS is a volume contributed to the series of *Beiträge zur Geschichte der Philosophie des Mittelalters* by twelve friends and pupils of Dr. Clemens Baeumker in honour of his seventieth birthday which fell on 16 September last year. The editor is Professor Grabmann of Munich, the learned author of the well-known *History of the Scholastic Method*.

The first essay, by Cardinal Ehrle, deals with Nicholas Trivet (or rather, according to what, as Cardinal Ehrle tells us, is the true historical form of the name, Trevet), the Oxford Dominican of the fourteenth century. We may note, among the numerous points of interest to which attention is called in this most instructive essay, the encyclopaedic culture of Trivet, whose interests were by no means confined to scholastic theology and philosophy, but embraced literature, history, chronology, and natural science (p. 30). A commentary on the Psalms is illustrated by his idea (as Mr. Pecksniff would have said) of the Hebrew musical instruments mentioned therein, and similarly one on Seneca's tragedies by his idea of an ancient theatre (p. 31). Writing before the canonization of the angelic doctor, he regularly calls him 'the venerable doctor Brother Thomas', but in one *Quolibet*, probably to avoid irritating the anti-Thomist party then powerful at Oxford, he speaks only of 'Thomas' without any honorific addition (p. 39). He refers 'with a certain undertone of irony' (p. 32) to the decisions as to the theological teaching to be permitted at Oxford which had recently emanated from the Dominican but anti-Thomist Archbishop Kilwardby and his Franciscan successor Peckham, and shows an inclination to allege arguments in support of the theory, advanced by John of Paris, of an *assumptio paneitatis* in the Eucharist (pp. 33, 39). He follows St. Thomas in holding that there is only one substantial form in man, and that the human intelligence is dependent upon the activity of the senses, as also in finding himself unable to accept the doctrine of the immaculate conception of the Blessed Virgin, 'who', he observes, 'has no need of human inventions to commend her excellence' (p. 41). Cardinal Ehrle suggests that Trivet's insistence on the passivity

of the human faculties in relation to the perceptions alike of the senses and of the intellect, and even to the act of will, is characteristic of his time 'and perhaps also of the Oxford school' (p. 41). The contribution made by Trivet to our knowledge of the history of the translation of the *Metaphysics* of Aristotle into Latin is evidently highly important (pp. 50 ff.). It seems to show that in his time, besides a translation from the Arabic, three from the Greek were extant, one falsely ascribed to Boethius, one made by Gerard of Cremona, and one made by William of Moerbeke. In the title of the twenty-fifth *quaestio* of the third *Quolibet* (on p. 56) the right reading must surely be *creativus*.

This valuable essay is followed by two dissertations, one by Professor Schneider of Cologne on the history of the theory that 'like knows like' in ancient and patristic times, and one by Professor Wunderle of Würzburg on the psychical conditions of the Plotinian ecstasy. Next to these comes an important discussion by Professor Pelster of a point already mentioned in connexion with Trivet, the history of the medieval Latin translations of the Aristotelian *Metaphysics*. Jourdain knew only one, in fourteen books; but noted that some manuscripts contained only the first three and part of the fourth (p. 89). Grabmann had distinguished the *Metaphysica Vetus* of the end of the twelfth or beginning of the thirteenth century, containing A-B and Γ 1-4, from a version containing the whole fourteen books, due probably to William of Moerbeke, 1260-70. Geyer had inferred from the text commented on by St. Thomas the existence of an earlier translation from the Greek, identical in the earlier part with the *Metaphysica Vetus*, but extending to Λ inclusive. Father Pelster himself had shown that such an earlier version was implied in the paraphrase of Albert, consisting of fourteen books, that is of all but K (p. 90). Besides these there was a translation from the Arabic. Father Pelster now shows reasons for holding that William of Moerbeke only improved the earlier translation from the Greek in thirteen books, by comparing it with a Greek text, while translating K for the first time. Presumably the older version which he thus edited was that ascribed, as we have seen, by Trivet to Gerard of Cremona.

The next essay, by Dr. Grabmann, the editor of the whole volume, deals in a very interesting manner with the logical writings of Nicholas of Paris and his place in the Aristotelian movement of the thirteenth century. This is succeeded by a careful discussion by Dom Rupert Klingseis of the various opinions held in the middle ages as to the metaphysical significance of the differences found to exist between individual human souls, in terms of the distinction of matter and form. Professor Geyser of Freiburg comes next with a useful examination of the treatment by the schoolmen of the problem of evidence or of the criterion of truth, showing how fully and from how many points of view it was considered. (In the quotation from Bonaventura on p. 179 *ex* has fallen out before *seipsis*.) Professor Wittmann of Eichstätt discusses St. Thomas's conception of 'the voluntary'. In his desire to show that the angelic doctor was not in his ethics a slavish follower of Aristotle, he does not seem to appreciate the 'intellectualistic' aspect of Aristotle's conception of happiness, of which the habitual or 'moral' virtues are only secondary

constituents whose presence is due to the weakness of human nature, which is incapable of the continuous enjoyment of intellectual activity.

Professor Dyroff of Bonn devotes an essay to St. Thomas's theory of art; and Dr. Spettmann of Munich one to a commentary on Aristotle's *Ethics*, of which he supposes—on the authority of the only known manuscript—John Pecham to be the author, an attribution against which weighty arguments have been brought by M. Gilson in the current number of the *Revue d'Histoire Franciscaine*. Our readers may be amused by a rendering of *θίσιν διαφυλάττων* in *Eth. Nic.* i. 1096 a. 2, which the author of the commentary in question appears to have found in his copy, *custodiens potionem ad modum Anglicorum ebriosorum*. He seems, however, reasonably enough, to have preferred the version *ut sustineat propositionem*.

The subject of the next essay to this, by Father Jansen of Breslau, is 'Petrus de Trabibus', a Franciscan of the later thirteenth century, and his relation to another Franciscan, Petrus Iohannes Olivi; while the last contribution to the *Festschrift* is an account by Professor Heidingsfelder of Denys the Carthusian's work *de Passionibus Animae*. (There is on p. 266 a misprint of *totius* for *tutius*.)

Students of medieval philosophy will find this whole volume full of interest and instruction.

C. C. J. WEBB.

Short Notices

Adequately to deal with *Egyptian Mythology* by Dr. W. M. Müller (London: Harrap, *s.a.*) would mean discussing it practically paragraph by paragraph, and modifying or rejecting a very large part of the author's assertions. Many of his theories, and some of the most startling of them too, are set forth without any references being given to the authorities, textual or otherwise, on which they are based. But often when references to texts are given it is found that the passages in question have been misunderstood or that the meaning has been arbitrarily wrested to suit Dr. Müller's point of view. Thus there is no foundation for what is said about the 'celestial tree' (pp. 35 f. and 93-4). Again, the view that the Egyptians regarded the horns of the sky-goddess (in her form of a cow) as symbolizing 'the daily and yearly limits of the sun's course in analogy to the two obelisks, or the two trees, &c.' (p. 38) is mere fantasy. Similarly devoid of foundation are the statements about Hathor's tresses on p. 39. But the whole character of the book is perhaps best indicated by the description given of fig. 118 on p. 114, the well-known relief depicting the Nile issuing in two streams from its two sources, the legs of Osiris,¹ which relics were supposed to be preserved at Philae; beside the legs kneel Sôthis (the goddess who was closely associated with the yearly rise of the Nile) and the scorpion goddess Serket. This representation is said by the author to depict 'Isis (as Sôthis or the morning-star) and Selqet-Nephthys gathering blood from the murdered corpse of Osiris', from which blood, so Dr. Müller would have us suppose, Isis was to conceive. Many of the illustrations dispersed throughout the text are unusual and interesting, but their value is almost entirely negatived by the fact that neither in the legends attached to them, nor in the list on pp. viii ff., are any indications given of the sources from which they are taken. Lastly, be it pointed out, there is no general index. A. M. B.

For archaeologists the chief interest in Messrs. Howard Carter and A. C. Mace's recent publication, *The Tomb of Tut-ankh-amen* (London: Cassell, 1923), lies in the reproduction of Mr. Burton's admirable photographs. Plates l-liv make one long for an elaborate monograph on the painted casket, similar to that on the beautiful painted head of Nefertiti recently produced by Dr. Borchardt for the Deutsche Orient-Gesellschaft. By far the most entertaining, and they are also really most instructive, chapters are ix and x, headed respectively 'Visitors and the Press' and 'Work in the Laboratory'. Surely, if he has read chapter ix, nothing

¹ H. Junker, *Das Götterdekret über das Abaton*, Wien, 1913, pp. 40, 41.

will ever succeed in persuading any excavator in the future to allow his discoveries to be 'boomed' in the newspapers. It is to be hoped that in the very near future Mr. Mace will produce a book on the handling and preservation of antiquities in the field and in the museum. Such a book from the pen of such an expert would be invaluable to excavators and museum curators, for no really satisfactory text-book dealing with this important side of archaeological research has yet been written.

A. M. B.

Mr. James E. Dunlap's study of *The Office of the Grand Chamberlain in the Later Roman and Byzantine Empires* (New York: Macmillan, 1924) forms the second part of the fourteenth volume of the Humanistic Series of the university of Michigan. It is well printed, well provided with references, and furnished with a bibliography, appendixes, and index. The title would be misleading if taken to signify an official always called by one and the same name. The author enumerates eleven Latin and thirty-four Greek titles applied—so far as can be ascertained—to the functionary of the later empire whose political duties and status had primarily been of a domestic character. The Latin word translated *chamberlain* is *cubicularius*, and is used of an attendant of Julius Caesar in his younger days. In the early principate we have four corps of *cubicularii*, the chief of whom (according to generally received conclusions) is the *a cubiculo*. There are traces of his influence, and that of the second in rank (*super cubicularios*) in the principate, but the great importance of the *praepositus sacri cubiculi* begins with Diocletian and Constantine, though of course the growth of the hierarchy of officials is beset with difficulties. Apparently the 'grand chamberlain was elevated to the rank of an *illustris* between December 382 and September 16, 384'. It is notable that 'No chamberlains of the Republican Period and only a few of those of the early Empire are specifically described as eunuchs in the commonly accepted sense'. But the process of orientalizing was going on, and tended to magnify the importance of palace officials. Unfortunately, the chapters of the *Notitia Dignitatum* which deal with the grand chamberlain and his staff have been lost, but a good deal of information can be gleaned from the Theodosian Code, inscriptional sources, &c. In the course of the sixth century, when the principle of subordination gives way to that of co-ordination (as pointed out by Professor Bury in the introduction to his *Imperial Administration in the Ninth Century*), the importance of the grand chamberlain decreases except in what has to do with ceremonies of a politico-religious character. But as ceremonial becomes more and more an essential element in the Byzantine government, the grand chamberlain rises in general prestige. His functions, however, gradually pass over to the superintendent of the chamberlains. By the year A. D. 566 he has entirely lost the control of the Crown lands in Cappadocia, which are made over to a new curator. The ceremonial duties likewise come to be distributed among other officials, and the office is finally discontinued under Michael IV (1034-42). The account of the office of grand chamberlain is followed by a biographical sketch of some of the most conspicuous holders of the office: Eusebius, Euthorius, Eutropius, and Narses. This part of the work may be intended to give

human interest to the treatise, but does not add much to the information given in more general histories. A. G.

In the fourth volume of the *Cambridge Medieval History* (Cambridge : University Press, 1923) Professor Bury has departed from the scheme which he and his editors adopted in those preceding it. It covers a larger period of time and a more restricted geographical area. This does not preclude a vast sweep of varied interests, but the interests are centred on one imperial system and almost on one city ; and throughout the long era from 717 to 1453 they were not consciously the interests of Latin Christendom, save at certain points or at certain times. This isolation of middle-eastern life, and its growing alienation from western sympathies, was a constant factor from the eighth century at the latest, even though new Rome was the chief bulwark of the young nations of the West. And so the Cambridge editors also have isolated the maligned empire, but not from disrespect ; since they and their contributors have done full justice to its qualities and its importance. Yet they will need to cover some of the ground again in future volumes to give due proportion to the influence of eastern and western Christendom, and we hope that more notice will then be given to the revival of art and letters under the Palaeologi. One or two gaps can also be found in internal history, but it is impossible to avoid omissions or under-emphasis of some subjects in dealing with a large and changing empire, to which each century presented its quota of varied and difficult problems. We should have liked a separate account of Greek monasticism, particularly of the revival after persecution in the eighth century and of the reforms of the great abbots of the house of Studium ; they had an influence outside monastic life on imperial politics comparable to that of the first abbots of Cluny, and we should certainly expect special treatment for their movement in a corresponding volume. M. Charles Diehl and Dr. William Miller are responsible for over a third of the chapters and thereby guarantee the utility of the work. Dr. Miller writes of the Balkan and Aegaean empires, and M. Diehl deals mainly with administrative history apart from a chapter on the Isaurian dynasty. There are some clear accounts of the Arab, Seljuk, Mongol, and Ottoman empires, and a less satisfactory chapter on Armenia, in which the importance of this region as a radiator of religious energy is not sufficiently emphasized. There is little or nothing about the Paulicians, though their persistence and influence on all the frontiers of the empire cannot be doubted, whether they converted an emperor or not. The least attractive chapters are those which narrate the political history of the dynasties, for the need of compression and the inadequacy of the chroniclers usually combine to produce a dreary and confused record ; but this impression of dullness should be removed by the last chapter, in which M. Diehl sets forth with knowledge and sympathy the genuine riches of Byzantine civilization. The dominant impression left by this volume is that of a vital and adaptable, not a decadent and rigid system of life and government. Thus, though chiefly with the aid of French scholars, has Dr. Bury righted the wrong done by Gibbon. The well-arranged and full bibliographies should be a valuable assistance to Byzantine students. D. J.

Dr. P. Hemmerle's monograph *Das Kind im Mittelalter*. Erster Teil, *Mutter und Kind* (Breslau : Priebatsch, 1915), contains much interesting information not easily found elsewhere. He rightly insists upon the mass of superstitious customs and usages that accompanied the birth and earliest years of a child in the middle ages, and his estimate of the importance of home training and occupations is justly high. The emphasis laid on the influence of the mother is a valuable corrective to the many narratives which too easily assume that the history of schools and schoolmasters provides an adequate account of education. Unfortunately the book is marred by a lack of proportion ; sweeping judgements on the church, marriage, and general morality are made without any indication of the documentary evidence on either side, while almost all non-German contributions to the subject are ignored.

G. R. P.

The third of the *Rheinische Neujahrsblätter*, published by the Institut für geschichtliche Landeskunde der Rheinlande in the university of Bonn, is an expansion in pamphlet form by Aloys Schulte of a lecture given by him to the German Historical Association at Aix-la-Chapelle in 1922, entitled *Die Kaiser- und Königskrönungen zu Aachen, 813-1531* (Bonn : Schroeder, 1923). Dr. Schulte traces the successive coronations from the early times when the empire was hereditary to the triumph of free election in William of Holland, thence to the Golden Bull, and so to the coronation of Charles V, which is chosen as a model and described in detail, the divergent practice on other occasions being indicated in notes. A short final chapter describes the decadence of Aix and of the ceremony itself. The constitutional aspect of the ceremony is very fully discussed, stress being laid on the gradual intrusion of an ecclesiastical element which was at first subordinate, and on the failure of the German empire to consolidate itself like the kingdoms of France and England. Although Dr. Schulte disclaims any political intention, it is clear that the unity of Germany, as a political ideal, is never absent from his mind. Illustrations are given of the crown and alb preserved at Vienna, and of a drawing by Dürer of the cathedral at Aix. There is a careful discussion of the insignia used at the coronation, and it seems clear from the evidence that many emperors were crowned, not with the insignia once at Nuremberg and now at Vienna, but with those given to the church of Aix-la-Chapelle by Richard of Cornwall in 1262, and still in its keeping.

C. J.

Professor Marc Bloch of Strassburg has published in the *Analecta Bollandiana* (vol. xli, fasc. i and ii, 1923) the 'Vita Beati ac Gloriosi regis Eadwardi', compiled in 1138 by Osbert of Clare, prior of Westminster. This work, which formed the basis of the popular life written by Ailred of Rievaulx in 1163, survives in the British Museum Additional MS. 36737, written at the end of the twelfth or early in the thirteenth century for the Cistercian house of Hemmerode, in the diocese of Trier ; also, in an abbreviated form, in a rather later manuscript now in Corpus Christi College, Cambridge. It has not previously been printed. Historically it is of little value, but its author was an interesting man (we are glad to learn that a critical edition of his letters is in preparation) and his life of the Confessor

has its place in the literary history of the reconciliation of English and Normans of which Ailred of Rievaulx was later to be the most convincing champion. In a scholarly and elaborate introduction M. Bloch, after a brief account of the life of Osbert and of the circumstances under which his life of St. Edward was written, analyses the sources of the work, Oral tradition, a lost collection of miracles, then preserved at Westminster. two forged diplomas of the Confessor, Sulcard's history of Westminster Abbey, Gosselin's life of St. Mellitus, bishop of London, and, most important of all, an anonymous biography printed by Luard, were Osbert's materials. The greater part of M. Bloch's introduction is a careful criticism of this last authority, styled by Freeman the Biographer. Freeman, with some hesitation, accepted the Biographer as a contemporary. M. Bloch argues—on the whole convincingly—that he wrote his work between 1103 and 1120, that is to say, during the lifetime of Henry I's son William. He lived at Wilton, and the curious admiration which he shows for Earl Godwin is due to the fact that he wished to glorify Godwin's daughter Edith, the wife of King Edward and a benefactor of Wilton. If this view is accepted, the work, apart from certain information about local history, ceases to be an important historical authority. Freeman's attempt to reconcile the Biographer with other historical material was beside the mark. Although M. Bloch seems to have proved his case so far as the existing work, which survives only in a late twelfth-century manuscript, is concerned, he has not, in our opinion, disposed of the possibility that it was based upon an earlier, poetical, life of Edward or Edith. The survival of strong Godwinist feeling in ecclesiastical circles in the twelfth century requires a good deal of explanation. Reference should also be made to the extraneous matter added to the Corpus Christi abbreviation of Osbert's life of St. Edward. M. Bloch has brought to light a version, not hitherto noted, of the famous miracle of the ring. This addition is also of interest on account of its unusual treatment of the legend of King Solomon (p. 60 and note).¹ We have noted a contradiction on p. 61 note, where M. Bloch states that when Ailred's life was written the Confessor was not yet canonized. On p. 17 he speaks of Capgrave as though he were a Tudor publisher.

F. M. P.

In his lecture upon *Chief Justice Sir William Bereford* (Cambridge : University Press, 1924) Dr. Bolland continues the good work of supplementing the prose of the records by the poetry of the reports. The vivid personality of the chief justice, which was evidently the delight of the crib in the days of Edward II, is undoubtedly far more alive for us in the year-books than in those stray entries upon the rolls from which Professor Tout and Mr. Conway Davies have supplemented Foss's biography. Dr. Bolland has collected a series of anecdotes illustrating the judicial interpretation and manipulation of statutes, the relations of the chancery and the bench, and the atmosphere of the courts in the early fourteenth century which, if not all new to those who have read Maitland's introductions to the year-

¹ For the miracle of the ring see also a recent note by Mr. V. H. Galbraith, 'Edward the Confessor and the Church of Clavering' in the *Transactions of the Essex Archaeological Society*, vol. xvi, part 3.

books, were well worth putting together for the benefit of historical students who have not the time or the opportunity for reading the Selden volumes. Such readers will welcome with joy the story of the three pairs of gallows; the illuminating comment on the senescent compurgation system—‘Now God forbid that any one should get his law about a matter that can be tried by a jury, so that with a dozen or half-a-dozen ruffians he could swear an honest man out of his goods!’—and the racy proverbs from the vernacular which Bereford and his fellows loved. In regard to the rhymed saying cited as unintelligible by Dr. Bolland on p. 32, ‘Both thei schellen out of this house, Benedicite and dominus’, it may be suggested that the phrase means no more than ‘Let them both go (unanswered) with God’s blessing’; *benedicite* and *dominus vobiscum* being two very common ejaculations, pious or the reverse, as Chaucer would indicate. Dr. Bolland refuses to discuss the interesting question of the relation of the judges to politics. ‘Whatever his political views may have been, no smallest indication of them appears in his recorded utterances’ (p. 33). We miss in his anthology of Bereford’s *obiter dicta* the remark quoted by Maitland and Mr. Davies, ‘Le roy est sur la ley’. It may be worth pointing out here that the report of the case in which this dictum occurs is not to be found in Dr. Bolland’s edition of the year-books for the Michaelmas term of 8 Edward II (vol. viii). The case, *The King v. the Prior of St. John of Jerusalem*, is reported in the Cambridge University Library MS. Ff. 2. 12, fo. 104 (not fo. 109, as Maitland says). This is the manuscript cited as M. in the Selden Society *Year Books*, vols. i–xv, and though by a slip Dr. Bolland equates M. with the Cambridge MS. Gg. 10. 20 in vols. xvi and xviii in his table of manuscripts, he does in fact use Ff. 2. 12 by that citation for several other cases of the Michaelmas term to which this case appears to belong. When we remember that Bereford was charged with supporting Piers Gaveston against the ‘party of reform’, and when we compare these words and the arguments brought forward on either side in the case against the prior of St. John with other remarks of Bereford on the prerogative quoted by Mr. Plucknett, it is difficult to agree with Dr. Bolland. A chief justice who is interpreting the law in the days of the new ordinances and takes occasion to express sentiments not so very different from those for which Richard II was deposed, cannot be described as completely concealing his political bias.

H. M. C.

In an illustrated pamphlet of 54 pages the learned historian of Catalan Greece, D. A. Rubió i Lluch, continues his valuable series of monographs on Greek history in the fourteenth century, *La Companyia Catalana sota el Comandament de Teobald de Cepoy, 1307–1310*. (Barcelona: Institut d’Estudis Catalans, 1923). This instalment, unlike its predecessors, deals with the early achievements of the Catalan grand company, its campaigns in Macedonia and Thessaly, its siege of Salonika, and its invasion of Mount Athos. Upon this episode, previously known to us from the personal narrative of the famous Serbian Archbishop Daniel, at that time a monk at the Serbian monastery of Chilandar, and from the rhetorical generalities of Theodoulos Magister, the Catalan historian has thrown fresh light from a document of the Aragonese archives, which shows how

two monks of St. Athanasios (Lavra) set out for the courts of Avignon and Valencia to obtain protection for their monastery from the Catalan invaders. James II of Aragon, whom Arnaldo de Vilanova interested on their behalf, wrote on 1 July 1308 ordering the Catalans to spare St. Athanasios. This date confirms the substantial accuracy of Daniel, that the Catalans were 'three years and three months on the Holy Mountain', that is, from 1307 to 1309, according to their modern historian.

W. M.

The *Plaids de la Sergenterie de Mortemer, 1320-1321*, edited by M. R. Génestal in the 'Bibliothèque d'Histoire du Droit Normand', ser. i, vol. 5 (Caen : Jouan et Bigot, 1924), are the earliest record of pleadings in a local court hitherto found in France. They are written on a roll of five membranes, belonging to M. Edouard Lecorbeiller, and comprise the proceedings before the viscount of Neufchâtel in the fortnightly sessions, from 19 November 1320 to 10 April 1321, dealing with affairs in the serjeanty of Mortemer-sur-Eaulne. The administration of justice in Normandy was symmetrical : the bailiff held regular sessions in each of the viscounties in his area, the viscount for each of the serjeanties. Appeals from the bailiff went to the Norman exchequer, from the viscount to the bailiff. The viscount of Neufchâtel sat at Neufchâtel, where the pleas from each of three of the five serjeanties in his area (the other two were in private hands) came before him on fixed days. He sat with a body of assessors or wise men, and dealt indiscriminately with criminal and civil cases within his competence, referring points which fell outside his control to the bailiff. As a rule, no distinction was made in these lower courts between cases concerning real and movable property. The clerk wrote minutes of the proceedings from day to day ; he entered a record of respites, non-appearances, and fines on the back of his roll or after the pleadings, and he also entered the record of judicial action taken by the viscount in the intervals between the regular sessions. Originally the official rolls may have been regarded as a copy or précis of the record given to the parties, for in this roll phrases such as ' la cedula a laquele chest memorial est annexé ' (§ 9) occur frequently. It is clear from the editor's careful foot-notes that Norman custom was capable of change, for he notes several discrepancies between procedure in the viscount's court and the Norman law books ; yet on the surface the administration of law in Normandy appears very clear, precise, efficient. As one would expect, the same qualities are to be found in the editorial work of M. Génestal. The introduction, notes, and indexes to this little record of 231 paragraphs are excellent. On p. xxiv, end of line 5, *vicomté* is printed by a slip instead of *sergenterie*. The note 4 to p. xviii gives too general an impression of the distinction between administration in Normandy before and after 1204 : the Norman bailiwick was not a creation of Philip Augustus, nor was the later viscounty always the same area as the pre-Conquest viscounty. M. Génestal's observations on the Norman custom which forbade royal officials and seigneurs to try cases outside the area to which they belonged, and his analysis of the personnel of the viscount's court, should be of special interest to students of English institutions.

F. M. P.

Surrey has had to wait longer than some other counties before seeing her assessment to the fifteenth and tenth of 1332 in print, but she is well rewarded for the delay by the ideal edition now published by the Surrey Record Society in *Surrey Taxation Returns*, part i (1923). The text has had the advantage of the expert editorship of Messrs. Giuseppi and Jenkinson, and they have been fortunate in securing for the introduction from Professor Willard the fullest and most authoritative description of the working of this form of direct taxation which has yet appeared. It should be accessible to every student of the later middle ages in England. Its value is increased by an appendix of documents illustrating the procedure of the exchequer in regard to the taxes on personal property in Surrey from 1290 to 1344. Under the latter year Mr. Willard notes the removal of Banstead from the list of manors paying at the higher rate as ancient demesne, presumably because reference to Domesday Book had established that it had not belonged to the Crown at the Conquest. Students of municipal history will observe that Kingston-upon-Thames, despite its merchant guild and other burghal institutions, paid the tenth as ancient demesne, not as a borough. The appearance of the same two taxpayers at Arthington and Combe for forty years (p. xxi) is almost certainly a case of copying. One Robert Bulhagh continued to appear on the Lancashire rolls for at least a century.

J. T.

Mr. Ernest W. Dormer in *Gray of Reading* (Reading: Bradley, 1923) has brought together the ballads of a sixteenth-century writer who was a servant of Thomas Cromwell and a supporter of Somerset, who by the purchase of abbey lands at Reading came to own most of the land in that borough, and who finally was elected by the borough to the parliament of 1547. To-day he is an obscure name in the history of literature and has no place in the *Dictionary of National Biography*: and this is just. But his antipapist ballads are of interest to the historian. The centre of literary interest in his career is a battle of ballads in which he and Thomas Smith, clerk to the queen's council, were the chief protagonists. It was begun by a ballad *Trolle on Away* attacking Gray's master, Cromwell, after the latter's fall. Mr. Dormer wisely prints all the extant pieces in this controversy, but we doubt whether he has arranged them in proper order and we question his comments about certain missing pieces which follow from his order of arrangement. The first three are correct: *Trolle on Away*, Gray's reply, and the ballad with which Smith entered the fray. But the next in Mr. Dormer's book, *A treatyse . . .* (p. 87), which is by Smith, should come later, we think. If the reader will compare Gray's *An Aunswere to maister Smyth* (p. 91) with Smith's first ballad (p. 83) he will find that it is an answer to it, and to it alone. The comparison cannot be made here, but we may cite the first lines of the opening stanzas: Smith writes, 'Of late I perused two purposes seuerall'; Gray replies, 'Where as of late two thinges ye parused'. Consequently we would place Gray's *Aunswere* after Smith's first ballad, and deny that there are any pieces missing at this point. The rest is fairly clear sailing. *An Enuoie from Thomas Smyth* (p. 95) is undoubtedly a reply to Gray's *Aunswere*, and the next ballad, *The*

Returne of M. Smythes enuoy, is Gray's retort. Now should come Smith's *A treatyse . . .*, the ballad which we believe is misplaced. Thus the line which puzzled Mr. Dormer, 'Of late I wrote two lybelles . . .' (p. 87), fits in perfectly, and the refrain which is the last line of the stanzas, 'Truely for the truths sake and nothyng for despyte', takes up Gray's charge in the preceding ballad, 'You ruffle and you rayle, for malyce and despyte' (p. 99). We agree that William Smith's ballad (pp. 103 f.) seems to imply that Gray wrote a scurrilous attack upon Thomas Smith which is now missing, but it must have been later than those which Mr. Dormer prints, and G. L., when he wrote his ballad (p. 108), does not appear to have seen it. In his introduction Mr. Dormer has gathered all the references to Gray that he could find, mainly through the indexes to the *Letters and Papers of Henry VIII*. They do not re-create the man, and the historical *obiter dicta* with which they are eked out are not profound. We should not like to say that Mr. Dormer is always fully justified in seeing identity of person where there is identity of name, and on pp. 48-50 he is unnecessarily disturbed over a recognizance which he takes to be a fine. Mr. Dormer is to be thanked for his service to history as well as to literature in printing these ballads and in printing them so handsomely. J. E. N.

Dr. Lillian M. Penson deserves great credit for the admirable manner in which she has broken new ground in *The Colonial Agents of the British West Indies* (London: University Press, 1924). For the continental colonies we have the monograph of Mr. E. P. Tanner; but there are special reasons why the West India agents deserve special treatment. The first idea of the business of an agent was that he should be 'a sentry' for the governor's interests; but with the growth of representative government it was inevitable that he should become the representative of the assembly and not the governor. There was much disputation between the councils and the assemblies over their respective rights, and the former were so far successful that it had to be admitted that the appointment of agents was an act of legislation requiring the assent of the legislature as a whole; but inasmuch as the assemblies possessed the power of the purse the practical power of appointment rested with them. The functions of the agents are described very clearly. Their main business was to protect the economic interests of the islands, to avert threatened import duties, and to secure special privileges. It is true that the agents played no great part in securing the passage of the famous Sugar Act of 1733; but the act passed in 1739 'for the direct exportation of sugar to foreign markets' was owing to their efforts; and the letters from H. Lascelles to correspondents in Barbados written in January 1744, printed in the appendix, give a striking picture of their activities. Again, on questions such as defence and the confirmation of laws their help was indispensable. Sometimes their position was one of difficulty. Their need was to work, as far as possible, with the powerful West India interest in London; but their masters, the assemblies, might pass measures, which they had to support, directly opposed to the views of the planters living in London, e. g. taxation of absentee proprietors. Nor were the interests of the planters and the merchants always the same; though there is less evidence of such

divergence in the present volume than might have been expected. Still, upon the whole, in the eighteenth century, the period of the West Indies' artificial zenith, planters, merchants, assemblies, and agents stood together on a common bottom; and when the collapse came through the assertion of philanthropic ideas, the *laissez-aller* movement and the break-down of representative government, the system of agencies fell to the ground with the structure about it.

H. E. E.

The eighteenth-century mind is somewhat out of favour with modern critics. One of them recently wrote of the parents of the reforming Lord Shaftesbury, 'they typified the polished heartlessness' of their age; and now we read of 'die ganze innere Brutalität des sentimentalischen Menschen' in Dr. Max Wieser's monograph *Der sentimentale Mensch gesehen aus der Welt Holländischer und Deutscher Mystiker im 18. Jahrhundert* (Gotha: Perthes, 1924). This is no empty phrase, for this book is an able and thoughtful, if rather one-sided, historical account of a temperament not yet extinct, but certainly in its heyday in that period between 1675 and 1786, 'die keine Volkskultur kannte, wie sie die Reformationszeit bis zu einem gewissen Grade hatte'. 'The sentimental person buys his (or her) feelings below their market value', said Schnitzler, possibly influenced by our common phrase 'cheap sentimentality'. Dr. Wieser elaborates this idea, with aphorisms of his own. He refers, as an ex-soldier, scornfully to the 'sentimentalen Klagen über die armen Krieger, die es so schwer haben u. dgl. m.' He admires Bismarck for becoming 'seelisch-körperlich krank' rather than 'seelisch-sentimental' when thwarted, even for reacting like a naïve child: 'sein Organismus streikte in Heulen und Schreien.' The last twenty pages of Dr. Wieser's text—there are fifty more of valuable, mainly bibliographical, notes—give a brief but brilliant sketch of the last century and a quarter, whereas 218 pp. are devoted to the earlier mystical sentimentalists from Peter Poiret to J. M. von Loën, a great-uncle and 'kleiner Vortypus' of Goethe. The influence of Fénelon is admirably brought out; in Germany it was scarcely equalled even by that of Shaftesbury or Rousseau. Dr. Wieser might well have said more of the influence of the ancient, especially of anti-Stoic and Neoplatonic, authors, and also of the struggle to feel and define the beautiful. But within his limits he succeeds in penetrating further than most writers into this side of the mind of the period, which he recognizes as an inevitable stage in the evolution from the 'naiven zum sentimentalischen Menschen'. It is an age of 'egozentrischer Bildungen und Gestalten', and even the German idealistic philosophy, deep as it was, is marred by 'Verstiegenheit gegenüber dem Leben als Solchem'. The goal of our age—'Aufgehen des Einzelnen mit allen seinen Trieben, Wünschen und Hoffnungen im Allgemeindasein'—is at least suggested by Goethe in the end of *Faust*. The 'Wertherzeit' is rendered doubly intelligible by these pictures of the earlier mystical 'Eigenbrötler', Arnold, Buttstedt, &c.

M. M.

Dr. Karl Alexander von Müller's *Der Ältere Pitt* (reprinted from *Meister der Politik*, vol. iii, edited by E. Marcks and K. A. von Müller. Stuttgart:

Deutsche Verlags Anstalt, 1923) is a careful and interesting account of the career of the great eighteenth-century statesman; but it is no more than a sketch, and apparently little or no use has been made of unpublished material. Within these limitations, however, it is a scholarly and thorough piece of work; and the author is certainly not lacking in sympathy and admiration for his hero. Indeed, it may be questioned whether his enthusiasm for the 'great commoner' does not prevent him from doing justice to some other statesmen of the period. There is no doubt that as a domestic politician, and particularly after the accession of George III, Pitt would have rendered greater service to his country if he had been less dictatorial and more willing to co-operate; and those who hold him partly responsible for the success of George III in establishing personal government can make out a reasoned case. Dr. von Müller is quite aware of the various attempts made by the whigs to win the assistance of Pitt against the Crown; but he does not appear to realize that by repelling these solicitations Pitt was advancing the cause of the king and frustrating the attainment of some of his own most cherished ideals. He presumably believed in a conciliatory policy towards the American colonies, and yet persistently refused to come to the assistance of the first Rockingham ministry, which was earnestly striving for the same end. The author is also inclined to attach a little too much weight to Horace Walpole as an authority. It is perfectly true that a knowledge of both Walpole's letters and memoirs is essential to a thorough understanding of the period; but, inasmuch as, except when Henry Conway was in office, he was not well placed for obtaining inside political information, his statements are sometimes inaccurate and very often extremely prejudiced. Thus it is not true that Bute rejoiced over Pitt's resignation in October 1761; on the contrary, he regretted it and had tried to prevent it. Again, Walpole's account of the wholesale bribery practised by Henry Fox to secure parliamentary approval of the peace preliminaries in 1762 may be true in substance; but it is at least surprising that from no other source do we learn of the shop being publicly opened at the pay office and of the twenty-five thousand pounds issued in bribes on one morning. There are also one or two slips which might be corrected with advantage in a subsequent edition. It was by the privy council, and not by the cabinet, that the embargo upon the export of corn was placed in 1766, and it was in June, and not July 1765, that Lord Temple refused to accept office and thereby prevented Pitt from forming an administration.

D. A. W.

In *Edmund Burke und sein politisches Arbeitsfeld in den Jahren 1760 bis 1790* (Munich: Oldenbourg, 1923) Mr. Richmond Lennox has written a thoughtful and well-informed essay on Burke's contribution to English political life down to the date of his onslaught on the French Revolution. It is a sound study of his views on party, on Ireland, on the empire, and on India, and a number of reprints of contemporary caricatures add to its interest. British conservatism has based so many of its first principles on Burke's political philosophy that it is rather startling to find him figuring here as 'the great connecting link in the evolution of English

liberalism between Locke and Gladstone'. However, some authority for this opinion is to be found in the books of those English liberals to whom the Burke of the *Reflections* of 1790 is a fallen star. Mr. Lennox describes his American writings as 'the masterpieces of his career', but he recognizes that the crusade against Warren Hastings came to be nothing else than 'a mighty parade of rhetoric'. G. B. H.

Mr. Sidney L. Phipson sets out in his little book *Jean Paul Marat : his Career before the Revolution* (London : Methuen, 1924) to prove the identity of L'Ami du Peuple with Le Maître alias Mara, a teacher of French at Warrington Academy, John Peter Le Maître alias Mara, variously described as a Swiss hairdresser or teacher of tambour drawing, who robbed the Ashmolean in 1776 and was sentenced to the hulks, John White alias Marat, a teacher of tambouring in Edinburgh, who was imprisoned for debt in 1789 and with F. C. M. G. Maratt Amiatt, a quack doctor and teacher, who set up as a bookseller in Bristol, was imprisoned for debt and released by a benevolent society in 1787. As John Peter Le Maître was sent to the hulks in March 1777 for five years and Jean Paul Marat was in the service of the Comte d'Artois in June of the same year, the whole chain of evidence rests on the assumption that the latter was one of the seven convicts who are known to have escaped from the Thames in April. The proof of the identity of the various personages named either with each other or with Jean Paul Marat is based on their recognition by several independent witnesses, and this the author considers conclusive, because 'he was very small and very ill-looking'. But he refutes his own argument in a quotation from Croker : 'Marat's sister [was] as like him, Colin [Marat's publisher] said, and as from all reports and busts I readily believed, as deux gouttes d'eau. She was very small, very ugly, very sharp and a great politician.' There is no doubt that marked peculiarities persist in a family, and Marat had three brothers, the youngest of whom was called Jean Pierre. Mr. Phipson's case seems hardly strong enough to justify printing it as an account of Marat's career before the Revolution. M. A. P.

M. Waliszewski has now extended to the nineteenth century his well-known series of studies on the history of Russian autocracy since Ivan the Terrible. The first volume of *Le Règne d'Alexandre I^{er}* (Paris : Plon, 1923) takes us from March 1801 to March 1812. The circumstances of Alexander's accession to the throne have already been dealt with by M. Waliszewski in his work on Paul, and references only are made to them. There is, however, a good introductory chapter on Alexander's early education and development, and another on his family relations. The publications of the Grand Duke Nicholas Mikhailovich are largely utilized here, as indeed throughout ; a few corrections in them are made. About one hundred pages are allotted to internal affairs ; the treatment of them suffers from some lack of continuity and of clearness : the peasant question in particular is not set out in a very satisfactory manner. The bulk of the volume is devoted to the diplomatic relations of Alexander with Napoleon. M. Waliszewski supplies interesting additions to, and in some

cases rectifications of, M. Vandal. In respect of reference foot-notes he is certainly superior; these are numerous and full, though they contain a certain number of slips or misprints. An index and a bibliography are promised for the second volume. His utilization of the material contained in Russian historical periodicals and of Polish sources appears to be considerably wider. The Paris, St. Petersburg, and Vienna archives are of course drawn upon very largely; little use seems to have been made of English evidence. The author's wide acquaintance with the Russian, Polish, and French memoirs bearing on his period is utilized with skill and discretion: the main German memoirs and works are also employed. He explains in his preface that his primary object is not to furnish a biography of Alexander nor to attempt 'une entreprise de reconstruction intégrale', but to concentrate mainly on that which has been neglected by previous historians of Alexander's reign. It is also definitely implied in the preface that the work, when completed, will serve in some measure as an examination into the bases of the Russia which has collapsed since 1917: on the cover, two sub-titles appear, *La Russie il y a Cent Ans* and *La Bastille Russe et la Révolution en Marche*. They can scarcely be applied to the present volume, which seems to be intended rather as an introduction to what is to follow.

H. S.

The second volume ¹ of *Select British Documents of the Canadian War of 1812* (Toronto: The Champlain Society, 1923) deals with the events of 1813. It has neither introduction nor index nor map, nor does it—with one exception—contain anything but dispatches and orders from the Dominion archives. These are arranged in sections according to the areas of the operations and left to speak for themselves. They show how the defence fell almost entirely on the British regular soldiers and sailors, the local militia—with one exception—being practically worthless, and it is indeed wonderful that so many soldiers could be spared in this year of the uprising of Germany and Wellington's great 'push'. But the American attack on Canada lacked vigour. The documents are not nearly complete; for instance, after the fall of York there is a hiatus and there is nothing to tell of the subsequent American evacuation. There is the same tale as in volume i, of lukewarmness and even actual disloyalty in Upper Canada. The one exception mentioned above is the action of 26 October on the Châteauguay river, when the Americans, advancing on Lower Canada, withdrew after an affair of pickets, their leading troops having been repulsed by French-Canadian militia. Sir George Prevost, in his dispatch of the 30th, warmly praised the dispositions of the militia colonel, de Salaberry, but the latter was not satisfied and wanted to have the full credit of having defeated the whole American army with a few hundred Canadians. The matter was taken up by the Quebec press, and even the duke of Kent was induced to write to the colonel's father regarding him 'as the hero who saved Lower Canada'. As late as 1895 there were mutterings of this little storm. Many an officer has thought himself neglected by his official superiors, or has claimed to have himself routed

¹ See *ante*, xxxvi. 460.

the enemy without any thought of the supporting troops, who never came into action simply because the enemy withdrew ; but in this affair not only the pride of a militia officer was concerned, but also the *amour propre* of a French-Canadian.

J. E. M.

Comm. Giuseppe La Mantia, whose name has been known to the readers of this Review for the last twenty years, has added to his numerous publications on Sicilian history a pamphlet with the somewhat cumbersome title *I Prodromi ed i Casi di una Penetrazione quasi Clandestina della Tragedia 'Giovanni da Procida' di Giambattista Niccolini in Sicilia nel 1831 e le Ricerche della Polizia negli anni 1841 a 1843* (Palermo : Boccone del Povero, 1924). He traces the French predecessors of Niccolini's tragedy, *Les Vêpres Siciliennes* of Casimir Delavigne, played at Palermo in 1821, and De la Motte Langon's novel on the same subject, translated into Italian at Palermo in 1831, the year of the 'quasi clandestine' Palermitan edition of Niccolini, which ten years later was suppressed by the notorious Neapolitan police minister, the *ex-carbonaro*, Del Carretto, on the advice of his literary adviser. He shows how Niccolini found four Sicilian imitators and made the historian Amari meditate an historical novel on the same theme, a plan abandoned from temperamental and prudential reasons. Indeed, later on, in his historical work, Amari almost left Giovanni da Procida out of the picture. A series of documents are appended to this rather discursive pamphlet, which is chiefly interesting for its account of the Neapolitan censorship. Incidentally the author exposes the blunder of the censor in inventing an orthodox historian of the Vespers in an unknown 'Ludovico Janzilli', perhaps a vague and inaccurate reminiscence of Nicola Jamsilla, the earlier chronicler.

W. M.

Dr. Ross Collins, in his *Catholicism and the Second French Republic* (Columbia University Studies in History, Economics, and Public Law. New York, 1923), adds little to the knowledge of the subject. The relations of French Catholics to the second republic have been worked out fairly well in the biographies and memoirs of the actors themselves. The connexion between the Second Republic and the Roman question has been shown from the liberal side ; Dr. Collins unfortunately makes no attempt to throw light on the more obscure aspects of papal policy. As a compilation from various sources—including a number of newspaper articles which hitherto had not been read, or at all events transcribed with such thoroughness—Dr. Collins's study has value. But the value is limited by the author's lack of skill in telling a story. Dr. Collins has a habit of introducing new names into his history without any account of the men who bear these names. Thus Lamennais is brought in without an appreciation of the meaning of his previous career ; L. Veuillot and Antonelli are mentioned without any attempt at a study of their characters. In the same way Dr. Collins discusses the Falloux law without giving more than a skeleton account of French education ; yet the character of this education, and not merely the regulations of the bureaucracy about the opening of schools and the qualifications of teachers, are of importance for

understanding the mentality of the mid-nineteenth-century Frenchman. Considered merely as a collection of extracts the book loses much of its usefulness in that all the quotations of any length are translated from the French. The translation is often clumsy (e. g. p. 137, 'That was a sad phrase, "education ought to be laic"'), and it is a little disquieting to find that one of the few conversations left in the original French (p. 306) contains a misprint.

E. L. W.

Mr. B. Kingsley Martin has produced in *The Triumph of Lord Palmerston: a Study of Public Opinion in England before the Crimean War* (London: Allen & Unwin, 1924) a brilliant sketch of the manner in which that least useful of all the attempts to solve the Eastern question was engineered. The author has not only read most of the published materials, but has also had permission 'to use certain unpublished letters of Queen Victoria' and 'new selections from the privately printed letters of the fourth Earl of Aberdeen'. He is thus able to throw new light upon the resignation of Palmerston, showing that 'the royal will did not materially affect the situation'. His analysis of the influence of the press in foreign politics, of which the average voter has scant knowledge and in which he usually only interests himself when something sensational has happened, is true of other periods than that preceding the Crimean war, while it is a matter of common experience that 'the most highly educated persons' (e. g. Mommsen) 'frequently behave in an instinctive rather than a rational manner in regard to political matters'. He considers Palmerston as 'probably the first English statesman who deliberately ingratiated himself with papers of all shades of opinion', and shows how that minister regarded foreign affairs as a species of sport. 'Historians have', as the author says, 'usually accepted' the verdict of *The Times* five years after the war, that 'never was so great an effort made for so worthless an object'. But, even seventy years after the event, the misrepresentations, the ignorance, and the lack of proportion which led up to the Crimean war are painful reading.

W. M.

The Johns Hopkins Studies (Series xlii, no. 1. Baltimore: Johns Hopkins Press, 1924) publish an interesting study of *Contemporary French Opinion on the American Civil War* by Dr. W. Reed West. French opinion, unlike that of Great Britain, seems to have regarded the civil war from the first as a clean-cut contest between liberty and slavery, democracy and authority. Napoleon III's attitude was determined largely by calculations based on his Mexican adventure; but the press divided along the line between conservatism and liberalism. A Confederate envoy wrote to his government that prejudice against the south was 'more unanimous and unassailable' among the French than the English, who, 'accustomed to a hierarchy of classes at home, and a haughty dominion abroad', find it easier 'to understand a hierarchy of races'. S. E. M.

This seems to be the age of composite volumes, and as they are constantly being published it may be assumed that there is a market for them. Perhaps it is the English habit which corresponds to the American

passion for lectures, and it is undeniable that such volumes, whether produced by Mr. Marvin or the Cambridge Press, often include first-rate pieces of work. Mr. Arthur Tilley's collection, *Modern France, a Companion to French Studies* (Cambridge: University Press, 1923), is of course competent, but it is difficult to see what its purpose is meant to be. It is not a 'companion' to French studies, but almost a crowded synopsis of such studies. There might have been great use in a book of this size which dealt with different aspects of French civilization without embarking upon the impossible task of compressing the history of France or that of its literature into one or two hundred pages. *Dis aliter visum*. The long historical introduction has been placed in very experienced French hands, those of Professors Hauser, Bourgeois, Aulard, and Weill, and is a marvel of compression. Without discourtesy to these distinguished men one may regret that at any rate the later part of the history was not left to an Englishman. The French Revolution is still so much present politics to many Frenchmen that an impartial treatment of it is to them almost impossible, and M. Aulard is of all authorities on the subject probably the best informed and the least impartial. It will not surprise any of his readers to find that Taine is not mentioned in the bibliography. Later on Mr. Tilley dismisses Taine's *Origines* with a phrase of Lord Acton's, 'it is not history', but that phrase is a most unfair summary of Lord Acton's judgement on 'the weightiest indictment that was ever drawn up'. It is perhaps still more surprising that the bibliography, though it can devote six lines to the works written and edited by M. Aulard, cannot find space to mention Sorel or Vandal. Professor Sagnac's excellent chapter on 'Economic and Social Life' is one which one would have been glad to see lengthened, had the scheme of the volume allowed this. He might then have discussed the evidence in favour of a much more optimistic view of the condition of the peasants before the Revolution. The legal chapter is full of useful information, but an English lawyer would probably have made it more interesting to English readers by some comparisons between French and English law. To literature 130 pages are allotted, but they are much too few, and inevitably many of them contain little more than a catalogue of names. The chapters on architecture and the other arts are better reading, but they also are too crowded with names. What can Professor Hourticq have meant by the statement that 'decorative painting was unknown to the Middle Ages'? The volume concludes with two chapters on the sciences and mathematics. The translations are well done on the whole, but there are curious lapses now and then for which the translator is probably responsible. In one passage Charles VIII is made to 'celebrate mass'.

F. F. U.

Dr. Ludo M. Hartmann, in his *Kurzgefasste Geschichte Italiens* (Gotha: Perthes, 1924), has given a skilfully handled, if somewhat hurried, narrative of the main events and evolution of Italian history from prehistoric times until the annexation of Rome to the kingdom of Italy in 1870. As might be expected, Dr. Hartmann treats his theme with a sure touch throughout, and is at his best in expressing the economic and social conditions which moulded the political history. He is especially

illuminating, but a little long considering the scale, on the period already covered in his larger work. Ancient history is given short measure—50 pages out of 320. The tone of the book is sympathetic and impartial.

C. W. P. O.

Dr. Hartmann has also brought out (Gotha: Perthes, 1923) a second edition of the first volume of his still unfinished *Geschichte Italiens im Mittelalter*, which has long taken its place as the standard history of Italy during the period of which it treats, alongside of Hodgkin's *Italy and her Invaders*. In the notes references to the literature published since 1897, the date of the first edition, have been added, and a number of small changes have been made in the text to bring it up to date. For instance, the excessively high figures (for armies, mortality, &c.) taken from contemporaries have been on occasion reduced or replaced by vaguer expressions in accordance with recent views.

C. W. P. O.

Professor T. F. Tout, in his Raleigh lecture on *The Beginnings of a Modern Capital* (London: British Academy, 1924), traces the process by which London, already the economic centre of England, became under Edward III and Richard II its political centre also. But, as he points out, the history of the capital is rather the history of the suburbs, and above all of Westminster, than of the city itself. It was the administrative need for the localizing and centralizing of the machinery of government that led to the creation of Westminster as the political capital. The very greatness of London made it impossible that the political capital should be established within its walls, but in spite of occasional experiments elsewhere the wealth of London as the economic capital drew the political centre of the kingdom inevitably to its neighbourhood. The earliest steps were taken when first the exchequer and then the common bench were established at Westminster. But under the first two Edwards there were centrifugal as well as centripetal forces, and the importance of the Welsh and Scottish wars for a time favoured the choice of another home. It was the administrative necessity of the Hundred Years' war that finally fixed the seat of government in the neighbourhood of the king's chief residence at Westminster. There all the government offices except the wardrobe and the custom house found their permanent home. There was indeed a short time when the custom house also was fixed at Westminster, but commercially Westminster could never compete with London. The city became increasingly residential as well as commercial. There is indeed some evidence that officials like John of Drogheda established themselves in convenient residences at Westminster; but Westminster was small, and, as Dr. Tout points out, the majority had to find their homes further east. In this connexion one must remember that even in the thirteenth century almost all the river front between Westminster and the Temple was occupied by the inns of bishops; one of the last gaps was filled when Walter de Stapledon began the building of Exeter Inn. FitzStephen described how the bishops, abbots, and lords had their dwellings in the city. Their great houses were no doubt one of the marked features of medieval London. But whilst the bishops moved out the lords

seem rather to have moved in, and I think the fourteenth century witnessed the establishment of many of the chief inns of nobles in the city. The move of the 'fashionable' quarter westwards did not begin till much later, after Henry VIII had dispossessed the bishops to make room for his courtiers. Meantime the city had a social as well as a commercial importance, and the fourteenth century no doubt witnessed a great development of the western suburb of the city. When, however, Dr. Tout speaks of the process as culminating in the act of 1394 which set up the Ward of Farrington Without, he is, no doubt unintentionally, a little misleading. No new ward was set up, but the ancient Ward of Farringdon Within and Without (it is so described in 1320) was divided. The jurisdiction of the city had from early times extended everywhere (except at the later Moorfields) beyond the walls. But nowhere was the extra-mural area so extensive or so important as in the west. The old Farringdon ward was the largest in the city, and when the extra-mural part developed in the fourteenth century a division became obvious, but there was no extension.

C. L. K.

In view of Heath's *Account* and of Kingdon's magnificent *Facsimile of Manuscript Records*, the Grocers' Company cannot be accused of neglecting their own annals, but the primary importance of their trade and guild would amply justify a much fuller historical treatment than they have yet received. When Mr. A. B. Beaven disposed some years ago in the pages of this Review¹ of the tradition that the Grocers supplied nearly two-thirds of the aldermen in 1383-4, the actual hegemony substantiated was still very striking. Between 1383 and 1387 (the most critical years in London civic history) they had never less than seven, and on two occasions they had nine aldermen. The only serious criticism that can be offered of Mr. J. Aubrey Rees's *The Worshipful Company of Grocers. An Historical Retrospect 1345-1923* (London: Chapman & Dodd, 1923), as a short readable account of the company, is that it does not make enough of this earliest and most important episode. No doubt its significance is obscure, but a full history of the Grocers would certainly cast light on it and upon the reign of Richard II. The great merit of Mr. Rees's book lies in its judicious and well-balanced selection. All the main aspects of a London livery company's activities at the successive periods of its history are represented, and the various strands are interwoven with a good deal of skill. Excellent use is made of the diary of George Stoddart published by Mr. Hubert Hall in his *Society in the Elizabethan Age*. A few references to sources used, or a short bibliography, and an index would have been helpful. There are some good illustrations, and the book can scarcely fail to have the effect of making the worshipful Grocers more interested in their past.

G. U.

In *The Manor of Goodbegot in the City of Winchester* (Winchester: Warren, 1923) Mr. A. W. Goodman traces the history, which is unusually well illustrated by records, of one of the most interesting of those 'sokes' or 'liberties' which stood out like islands in some of our oldest and largest

¹ *Ante*, xxii. 523.

towns during the middle ages. Copies are still extant of the charter by which Æthelred II gave to Queen Emma the little estate on the north side of the High Street which had belonged to Ælfric 'the Goodsetter' (Anglo-Saxon nicknames are rarer than those of Northman and Norman) free from all charges, including even that *trinoda necessitas* from which the most favoured immunists were rarely exempted. The few rolls of its manor court which have survived show that a grant which said nothing directly of jurisdiction conveyed the right of holding a court which over and above the powers which were imminent in feudal lordship exercised franchisal ones, including the assize of bread and ale and cognizance of blood-shedding. Apparently the right of trying and executing thieves was not claimed, but the goods and chattels of its felons were and the liberty gave sanctuary to felons from without. These privileges caused friction from time to time between the cathedral priory (to which Queen Emma bequeathed the liberty) and the authorities of the city. They were abolished at the Reformation, but the greater part of the lands continued to be held by the dean and chapter down to the end of last century, when they were sold. The old name has been revived in the name of an hotel on the site. Mr. Goodman has discovered much of interest about the tenements in the liberty, and gives a plan of it from a survey of the city in 1416.

J. T.

The volume entitled *Northumbrian Monuments, The Shields of Arms, Effigies and Inscriptions in the Churches, Castles, and Halls of Northumberland* (Publications of the Newcastle-upon-Tyne Records Committee. Newcastle-upon-Tyne: Northumberland Press, 1924) contains the 'Armorial, epitaphs and effigies drawn and described from MS. no. C. 41 in the library of the College of Arms, being the official copy of the visitation of Northumberland undertaken in the late summer of the year 1666 by William Dugdale, then Norroy King of Arms', supplemented by a similar account of shields and effigies earlier than 1666, not seen by Dugdale but still extant or to be found in the *Heralds' Visitation of 1575*. It is fully illustrated by small drawings of coats and badges, the supplement by Mr. R. Bertram, the first part presumably by the editor, whose work deserves the encomium which he passes on Mr. Bertram's. In addition there are some beautiful photographs of gateways and effigies, including seven views of the Grey tomb in Chillingham Church, by Mr. C. H. Hunter Blair, whose editorial introduction of ten pages gives an adequate account of Dugdale's visitation and of his clerk, Gregory King, who may have written and illustrated this MS. C. 41. The effigies are few, but the shields and badges described, and in most cases identified, number 317, principally from Alnwick and Newcastle itself. Some are of special interest, or even unique, such as no. 40 (Edward the Black Prince as duke of Cornwall), no. 41 (Edward the Third, with England in the first quarter), and no. 210 (Henry VIII and Jane Seymour). The long series from St. Nicholas and All Saints, Newcastle, shows how frequently the merchants and mayors of that town were either armigerous by birth or in a position to acquire arms. Errors are detected, e.g. the wrong Thornton shield at Belsay (p. 94); but in the same place it should have been noticed that no. 189

is (or was) *sable a saltire argent*, which is attributed by Sir Arthur Middleton to Sir John de Crumbewell, who had a grant of the castle for life from Edward II. On p. 3 *Comitatem* for *Comitatum* cannot be due to Dugdale. On p. 98 the unintelligible sentences 'Effigies vero hominis armati in oenea. Jamine Scotorum rabie nuperrime rapta est' should be restored to sense by reading 'in aenea lamina' (= on a brass plate). The volume is full of interesting notes and copious references, and is amply indexed; it is in every respect worthy of the committee and the editor.

H. E. D. B.

Manx history receives a notable addition by the publication of *The Manorial Roll of the Isle of Man, 1511-1515*, translated and edited by the late Rev. Theophilus Talbot (London: Milford, 1924). Mr. William Cubbon has added five more to Mr. Talbot's eleven appendixes, and Mr. G. Fred. Clucas contributes an introduction. The printing and general get-up of the volume leave nothing to be desired. At the end of the eighth century the Scandinavian conquerors imposed upon the Celtic population a new division of the land into six shedyngs, or ship-districts, which were subdivided into treens; and the church divided it for ecclesiastical purposes into seventeen parishes. During the fourteenth century the island was under the rule of the English kings, who granted out three baronies (one of them to the bishop), and kept the rest of the land, except that which belonged to Rushen Abbey, in demesne. The manorial rolls are concerned with these demesne lands, which had passed to Sir John Stanley by royal grant in 1406. The first roll, dated 1511, contains a record of the rents, fines, and other items of income in the three shedyngs which comprised the southern division of the island: the second, of the year 1515, gives similar particulars for the three northern shedyngs. The appendixes are devoted to summaries of the earl of Derby's revenues from these sources, lists of tenants in the baronies, and of names of persons and places. This will be an indispensable book to the student of almost every branch of the history of the Isle of Man in the early part of the sixteenth century.

J. E. W. W.

To historians *The Book of Colonsay and Oronsay* (London: Oliver & Boyd, 1923) by Mr. Symington Grieve will prove disappointing. The author is an enthusiastic amateur to whom are due several important archaeological discoveries, notably the bones in the New Cave in Colonsay and the 'Azilian' remains in the shell-mound of Caisteal-nan-Gilleann in Oronsay. The latter find was of peculiar value, but inasmuch as it was made in 1881—eight years before the Paris congress accepted Piette's conclusions drawn from the Mas d'Azil—its true significance was not fully appreciated at the time. Mr. Grieve has now set his discoveries in an historical light, by making them a basis of a work on Colonsay and Oronsay. His methods are not sound. Long study has endeared his islands to him; it is for the advancement of their glory that he descends into the abysses of early Scottish ethnology and of Gaelic and Norse history. He treats as evidence of fact the cautious opinions of Scandinavian and British anthropologists, the traditions of

quite late Irish literature, and the testimony of 'oldest inhabitants'. Skene he has followed, but he has made no use of many later authorities, and though he has collected matter enough to fill two most handsome volumes, much of this matter has little, if any, connexion with the islands of Colonsay and Oronsay. Even if it be admitted that the Gaedel drove 'the Cruithne or Picts out of Ireland into Scotland', and that Colla Uais was a real personage and a Cruithne, there is no proof whatever that it was to Colonsay he came 'about the year 326 A.D.' The author remarks upon the odd coincidence that an earlier Pictish exile from Ireland, Cathluan, the son of Gub, should also have sought refuge at Colonsay; but he makes no inference. The fact is that in neither case is Colonsay mentioned. The identification of Oronsay and Colonsay with the Toraic and Culenrigi of the Annals of Ulster (*s.a.* 732, really 733) is very bold. Toraic has always been taken to be Tory Island, and the close connexion of Culenrigi with Ireland appears in the very quotation from the Annals of Ulster (for 802–803) which Mr. Grieve uses to develop his own theory. It is not even certain that Adamnan's Colosus—Mr. Grieve writes Colosa—is Colonsay. Mr. Anderson thinks it means Coll. On the strength of the place-name Dun Evan, the author introduces his readers to the builder of the fort, Gille Adamnan, the husband of Earl Sigurd's sister and the grandfather of Somerled. Thus Colonsay is romantically linked with the lordship of the isles and the saga of Burnt Njal. But even if the fort were built by an Adamnan, there is no proof that this was Gilla Adamnain; so far as is known Somerled's house originated on the mainland. And even if Gilla Adamnain was Somerled's grandfather (probably he was, though the Annals of Ulster make him father) he can hardly have been identical with that Earl Gilli who married Sigurd's sister at a date not later than 996. But although Mr. Grieve's enthusiasm has led to the inclusion in his work of much extraneous matter, his labours have not been in vain. As a contribution to topography his work is of real value; the accounts of the various excavations are interesting, and the numerous illustrations and diagrams are extremely good.

J. D. M.

Dr. Lujo Brentano's book, *Der Wirtschaftende Mensch in der Geschichte* (Leipzig: Meiner, 1923), a work of over 500 pages, is a collection of addresses and lectures delivered on various occasions by a veteran exponent of economics as a branch of moral and social history. The first is an inaugural address given in the university of Vienna in 1880, the second an opening rectorial lecture at Munich in 1901. Some chapters are naturally more up to date than others. It may seem like flogging dead horses to argue (as in the first lecture) against the extreme *laissez-faire* policy of the older English and Scottish economists, none of whose successors would profess the tenets of the school except in a much modified form. At the same time the social ideals of the writer and his abundant historical references give a very human interest to his work, even if the reader does not always accept his interpretations. The pecuniary motives in some medieval undertakings—especially the Fourth Crusade and later the conquest of Morea—seem hardly to be assignable to the growth of capitalism. In the last essay, 'Judentum und Kapitalismus', the theories

of Sombart as to the withering influence of the Jewish people in Europe are examined and refuted. In general the points of view taken by Brentano and by Sombart respectively are so far removed from one another that any controversy between them seems like a conflict between a lion and a whale. Sombart's work, as Brentano says, is meant to be theoretical rather than historical, and if his views were accepted 'müsste die Welt alles umlernen was sie seit Ezechiel, Thukydides und Aristoteles über die Bedeutung des Handels für die Anhäufung des Reichtums wie für den Entwicklungsgang der Kultur gedacht und gelehrt hat'. Yet the conclusion of Sombart is against the permanency of capitalism. Among the subjects treated by Dr. Brentano in this book in a novel way are the relations of feudalism in the West and of a state approaching feudalism in the East to the growth of a capitalistic policy; the communistic principles of most early church fathers, and the bearings of capitalism on the movements for negro emancipation.

A. G.

The *Jahresberichte der Deutschen Geschichte* for 1921 (Jahrgang 4), edited by Dr. V. Loewe and Dr. O. Lerche (Breslau: Priebatsch, 1923), contain a well-arranged bibliography of publications. The brief descriptions of the contents or chief point of the books and articles listed are excellent as a rule. Non-German publications are only dealt with at second-hand as they were not obtainable by the compilers.

C. W. P. O.

Besides the variations of statistics, constitutional changes in various countries lend interest to *The Statesman's Year Book for 1924* (London: Macmillan, 1924). The maps of Turkey in Europe according to the Lausanne treaty and of the Palestine boundary according to the Beyrouth Agreement of 1922 are as well done as everything in this compilation always is.

H.

In its own sphere *The Annual Register* is equally indispensable, and the volume for 1923 (London: Longmans, 1924) is perhaps unusually readable. There are, as is inevitable, slips in small points of detail, and it is not always impossible to see where the sympathies of the writers lie; but the volume is fully adequate to its well-known purpose.

I.

CORRIGENDA FOR THE JULY NUMBER

- p. 376, l. 27. for Carolina read Caroline
- p. 376, n. 7. for *ibid.* read F.O. 7/145.
- p. 377, n. 3. before John Hoppner's insert Catharine Hampden,
- p. 379, n. 3. for Douglas read Dunglas.
- p. 381, n. 2. for 1801 read 1831.
- p. 404, l. 28. for by read to.
- p. 405, n. 2, last line. for da read du.
- p. 418, title of C. for 1359-3 read 1359-63.

INDEX

TO

THE THIRTY-NINTH VOLUME

ARTICLES, NOTES AND DOCUMENTS

- ANGLO-DUTCH** alliance of 1678, The :
by C. L. Grose, 349, 526
- BALANCE** sheet, a national, for 1362-3 :
by T. F. Tout and Miss Dorothy M. Broome, 404
- Bonaparte**, *Essai sur le Système Militaire de*, The authorship of the :
by C. S. B. Buckland, 588
- Borough** representation in Richard II's reign :
by Miss M. McKisack, 511
- CALICO-PRINTING**, The beginnings of, in England :
by P. J. Thomas, 206
- Charles II** and Louis XIV in 1683 :
by E. S. de Beer, 86
- Charter**, Great, of 1215, The originals of the :
by Sir John C. Fox, 321
- Chronicle**, The beginning of the year in the English :
by R. H. Hodgkin, 497
- Conqueror**, The date of the ordinance of the, separating the ecclesiastical and lay courts :
by Curtis H. Walker, 399
- DUNCOMBE**, William, 'Summary Report' of his mission to Sweden, 1689-92 :
by J. F. Chance, 571
- EYRE**, bills in, The 'rageman' and :
by R. Stewart-Brown, 83
- Eyres**, The general, of 1329-30 :
by Miss H. M. Cam, 241
- FINLAY** papers, The :
by William Miller, 386
- Finlay**, George, as a journalist :
by William Miller, 552
- '*Firma unius noctis*', The, and the customs of the hundred :
by Carl Stephenson, 161
- HENRY** Fitz Henry at Woodstock :
by G. Herbert Fowler, 240
- Hodges**, Cornelius, The journey of, in Senegambia, 1689-90 :
by Miss Thora G. Stone, 89
- Hoppner**, Richard Belgrave :
by C. S. B. Buckland, 373
- IRISH** Free trade agitation of 1779, The, part ii :
by George O'Brien, 95
- LIEVEN**, Princess, and the Protocol of 4 April 1826 :
by Harold Temperley, 55
- Louis XIV**, Charles II and, in 1683 :
by E. S. de Beer, 86
- MAES** Madog, The battle of, and the Welsh campaign of 1294-5 :
by J. G. Edwards, 1
- Metternich**, An English estimate of :
by C. S. B. Buckland, 256
- Monroe** doctrine, Documents illustrating the reception and interpretation of the :
by Harold Temperley, 590
- ORDINANCE**, The date of the Conqueror's, separating the ecclesiastical and lay courts :
by Curtis H. Walker, 399
- Pirates**, The Cornish and Welsh, in the reign of Elizabeth :
by David Mathew, 337.
- '*Plenus comitatus*' :
by William A. Morris, 401
- '*RAGEMAN*', The, and bills in eyre :
by R. Stewart-Brown, 83
- Roger** of Salisbury, regni Angliae procurator :
by Mrs. F. M. Stenton, 79
- SHERIFFS**, inquest of (1170), A new fragment of the :
by James Tait, 80
- Shire-moot**, An East Anglian, of Stephen's reign :
by Miss H. M. Cam, 568
- WAKEMAN**, Bishop, visitation articles for the diocese of Gloucester, 1548 :
by W. P. M. Kennedy, 252
- War**, The Genesis of the :
by H. W. C. Davis, 217
- Welsh** campaign of 1294-5, The battle of Maes Madog and the :
by J. G. Edwards, 1
- Wentworth**, Peter :
by J. E. Neale, 36, 175
- Woollens**, The production and exportation of English, in the fourteenth century :
by H. L. Gray, 13

LIST OF REVIEWS OF BOOKS

- Abhandlungen zur Geschichte der Philosophie des Mittelalters, Festgabe Clemens Bacumker zum 70. Geburtstag*: by C. C. J. Webb, 622
- Acta Aragonensia*, iii, ed. by H. Finke: by T. F. Tout, 598
- Acta concilii Constanciensis*, ii; ed. by H. Finke: by W. T. Waugh, 604
- Analecta Bollandiana*, xli, 480; xli, i-ii, 628
- Anatolian studies*; ed. by W. H. Buckler and W. M. Calder: by Arnold Toynbee, 451
- Annales Danici medii ævi*; ed. by Ellen Jörgensen, 145
- Annual register, The*, 1923, 646
- Ault (W. O.) *Private jurisdiction in England*: by James Tait, 427
- Bacumker, Clemens, *Festgabe zum 70. Geburtstag*: by C. C. J. Webb, 622
- Ballads and broadsides, Cavalier and Puritan*; ed. by H. E. Rollins: by Sir Charles Firth, 437
- Barnes (Julia F.) *The dominion of New England*, 466
- Barnett (H.) *Glympton*, 477
- Barnouw (A. J.) *Holland under Queen Wilhelmina*, 315
- Bathurst, Earl, *Report on the manuscripts of*: by J. Holland Rose, 611
- Behrens (Miss K. L.) *Paper money in Maryland*, 153
- Bell (A.) *Gaspar Corrêa*, 462
- Benns (F. L.) *The American struggle for the British West India carrying-trade*, 314
- Ber of Bolechow, *Memoirs of*, 313
- Bibliographie alsacienne, 1918-1921*, 319
- Bibliographie lorraine, 1920-1*, 319
- Bolland (W. C.) *Chief Justice Sir William Bereford*, 629
- Borough Charters, British, 1216-1307*; ed. by A. Ballard and J. Tait: by Charles Johnson, 119
- Braubach (M.) *Die Bedeutung der Subsidien im Spanischen Erbfolgekriege*, 152
- Breasted (J. H.), *Oriental forerunners of Byzantine painting*: by D. G. Hogarth, 594
- Brentano (L.) *Der wirtschaftende Mensch in der Geschichte*, 645
- Brochard (Z.) *Histoire de la paroisse et de l'église Saint-Laurent à Paris*, 478
- Busson (H.) *Les sources et le développement du rationalisme dans la littérature française de la renaissance*, 148
- Byzantinische Zeitschrift*, xxiv, 1-2, 481
- CALBRECHT (J.) *De oorsprong der Sintle Pectersmannen*, 479
- Cambridge ancient history*, i, 143
- Cambridge historical journal*, no. 1, 143
- Cambridge history of British foreign policy*, iii: by H. W. C. Davis, 131
- Cambridge medieval history*, iv, 627
- Canadian war of 1812, Select British documents of the*; ed. by W. Wood, ii, 637
- Carter (H.) and Mace (A. C.) *The tomb of Tut-ankh-amen*, 625
- Cavaignac (E.) *Population et capital dans le monde méditerranéen antique*: by G. H. Stevenson, 110
- Cavalier and Puritan: ballads and broadsides, 1640-60*; ed. by H. E. Rollins: by Sir Charles Firth, 437
- Chambers (E. K.) *The Elizabethan stage*: by R. B. McKerrow, 430
- Chance (J. F.) *The alliance of Hanover*: by Sir Richard Lodge, 293
- Clark (G. N.) *The Dutch alliance and the war against French trade*: by C. Brinkmann, 287
- *Open fields and inclosure at Marston near Oxford*, 477
- Clements (W. L.) *The William L. Clements library*, 320
- Codex documentorum sacratissimarum indulgentiarum Neerlandicarum*; ed. by P. Fredericq: by C. Johnson, 272
- Collins (R.) *Catholicism and the second French republic*, 638
- Congrès des sciences historiques, V^e, Comptes rendus du*, 159
- Continental congress, Letters of members of the*, ii; ed. by E. C. Burnett, 153
- Corbett (Sir J. S.) *Naval Operations*, ii-iii: by Major-General Sir G. Aston, 301
- Cornish (V.) *The great capitals*, 159
- Coulton (G. G.) *Five centuries of religion*, i: by the Rev. E. W. Watson, 259
- Coupland (R.) *Wilberforce*, 314
- Crousaz-Crétet (P. de) *Paris sous Louis XIV*, ii, 312
- Curia Regis rolls of Richard I and John*, i: by F. M. Powicke, 264
- DASKALAKES (Ap. B.), 'H Μάρτυρ καὶ ἡ Ὀδομακική αὐτοκρατορία: by William Miller, 450
- Denny (H. L. L.) *A handbook of County Kerry family history, biography, &c.*, 478
- Deutscher Staat und Deutsche Parteien*, 159
- D'Eves, Sir Simonds, *The journal of*; ed. by Wallace Notestein: by Godfrey Davies, 609
- Diary of a country parson: the Rev. James Woodforde*; ed. by J. Beresford, 468
- Dormer (E. W.) *Gray of Reading*, 632

- Doucet (R.) *Le gouvernement de François 1^{er} dans ses rapports avec le parlement de Paris*: by W. D. Green, 279
- Downshire, marquis of, *Report on the manuscripts of the*, i; ed. by E. K. Purnell: by A. C. Wood, 441.
- Duchêne (A.) *Gabriel Malès et la re-constitution financière de la France après 1789*, 471
- Dudok (G.) *Sir Thomas More and his Utopia*, 463
- Dunlap (J. E.) *The office of the grand chamberlain in the later Roman and Byzantine empires*, 626
- Durham protestations; ed. by H. M. Wood, 466
- EELLS (H.) *The attitude of Martin Bucer towards the bigamy of Philip of Hesse*, 464
- Eginhard, *Vie de Charlemagne*; ed. by L. Halphen, 307
- Egmont, first earl of, *Diary of the*, ii, 314
- Ekwall (E.) *English place-names in -ing*: by Allen Mawer, 456
- Elbenne (Viconte M. de) *Madame de la Sablière*, 312
- Elias (J. E.) *Schetsen uit de geschiedenis van ons zeewezen*, ii, 150
- Evans (Miss F. M. Grier) *The principal secretary of state*: by F. C. Montague, 280
- Evans (I. L.) *The agrarian revolution in Roumania*: by William Miller, 618
- FITZMAURICE-KELLY (Mrs. J.) *Antonio Pérez*, 149
- Fordham (Sir G.) *The road-books and itineraries of Great Britain*, 479
- Formoy (R. R.) *The historical foundations of modern company law*, 317
- Fortescue (The Hon. J. W.) *A history of the British army*, xi: by J. E. Morris, 299
- Foster (W.) *The English factories in India*, xi, 1661-4, 151
- Fowler (G. H.) and Hughes (M. W.) *Calendar of the pipe rolls of Richard I for Buckinghamshire and Bedfordshire*: by C. G. Crump, 262
- Fueter (E.) *World history*, 154
- Fuller (J. V.) *Bismarck's diplomacy at its zenith*: by C. K. Webster, 136
- GALLO (E. de) *Les cent-jours*: by R. B. Mowat, 614
- Gasquet (Cardinal) *The religious life of Henry VI*, 460
- Geyer (A. L.) *Das Wirthschaftliche System der niederländischen Ostindischen Kompanie am Kap der Guten Hoffnung, 1785-1795*, 470
- Ghoshal (U.) *A history of Hindu political theories*: by A. Berriedale Keith, 111
- Giolitti (G.) *Memoirs of my life*: by William Miller, 139
- Giuseppi (M. S.) *A guide to the manuscripts preserved in the Public Record Office*, i: by H. H. E. Craster, 454
- Gooch (G. P.) *History of modern Europe*: by C. K. Webster, 136
- Goodman (A. W.) *The manor of Goodbegot in Winchester*, 642
- Gougoud (L.) *Gaelic pioneers of Christianity*, 144
- Grew (M. E.) *William Bentinck and William III*: by Godfrey Davies, 439
- Grieve (S.) *The book of Colonsay and Oronsay*, 644
- HAMMOND (J. L. and B.) *Lord Shaftesbury*, 154
- Hartmann (L. M.) *Kurzgefasste Geschichte Italiens*, 640
- *Geschichte Italiens im Mittelalter*, i, new ed., 641
- Hellenistic age, *The*; ed. by Sir Geoffrey Butler, 306
- Hemmerle (P.) *Das Kind im Mittelalter*, 628
- Hjelholt (H.) *Den danske sprogordning og det danske sprogstyre i Slesvig mellem krigerne*, 475
- Hughes (M. W.) and Fowler (G. H.) *Calendar of Pipe Rolls of Richard I for Buckinghamshire and Bedfordshire*: by C. G. Crump, 262.
- Indian historical records commission, fifth report*, 318
- Instructions et dépêches des résidents de France à Varsovie*; ed. by M. Handelsman, 154
- Ireland, Advertisements for*; ed. by G. O'Brien, 149
- Jahresberichte der deutschen Geschichte*, 646
- Jenkinson (C. H.) *Elizabethan handwriting*, 160
- Jewdine (J. W.) *Studies in empire and expansion*, 160
- Johnsen (O. A.) *Finmarkens politiske Historie*, 157
- KAMPOURGLOS (D. Gr.) *Αἱ παλαιαὶ Ἀθήναι*: by William Miller, 449
- *Μελέται καὶ Ἑρευναὶ*: by William Miller, 449
- Kaser (K.) *Das Zeitalter der Reformation und Gegenreformation*, 464
- Kent records, East*; ed. by Irene J. Churchill: by C. Hilary Jenkinson, 121
- Kerkeraadsprotocollen der nederduitsche vluchtelingenkerk te Londen*; ed. by A. A. van Schelven: by P. Geyl, 282
- Kincaid (C. A.) and Parasnis (R. B.) *A history of the Maratha people*, ii: by P. E. Roberts, 285

- Knox (R. A.) and Leslie (S.) *The miracles of King Henry VI*, 460
- Koerperich (R.) *Les lois sur la main-morte dans les Pays-Bas catholiques*, 317
- Kühn (J.) *Toleranz und Offenbarung*, 465
- LACOUR-GAYET (G.) *L'éducation politique de Louis XIV*, 466
- La Gorce (P. de) *Histoire religieuse de la Révolution française*, v : by E. L. Woodward, 298
- La Mantia (G.) *Di uno rinnovamento edilizio*, 479
- *La Sicilia ed il suo dominio nell'Africa Settentrionale* : by the Rev. D. S. Margoliouth, 261
- *Sugli studi di topografia palermitana del medio evo* : by the Rev. D. S. Margoliouth, 261
- *Una penetrazione della tragedia Giovanni da Procida in Sicilia*, 638
- Leicester, *Records of the borough of* ; ed. by Miss Helen Stocks and W. H. Stevenson : by Miss C. A. J. Skeel, 446
- Lennox (R.) *Edmund Burke*, 635
- Lenz (M.) *Wille, Macht und Schicksal*, 159
- Leslie (S.) and Knox (R. A.), *The miracles of King Henry VI*, 460
- Lesmaries (A.) *Dunkerque et la plaine maritime aux temps anciens*, 157
- Leuilliot (P.) *Les Jacobins de Colmar* : by the Hon. M. A. Pickford, 134
- Little (A. G.) *The introduction of the Observant Friars into England*, 309
- Lodge (R.) *Great Britain and Prussia in the eighteenth century* : by Basil Williams, 292
- Lords, Manuscripts of the house of*, viii, 1708-1710, 467
- MacDonald, Randal ; ed. by W. S. Lewis and N. Murakami, 475
- Mace (A. C.) and Carter (H.) *The tomb of Tut-ankh-amen*, 625
- McFayden (D.) *The rise of the princeps' jurisdiction within the city of Rome*, 144
- Mellwain (C. H.) *The American revolution*, 469
- Mackay (Dorothy L.) *Les Hôpitaux et la Charité à Paris au xiii^e siècle* : by W. T. Waugh, 447
- Mahon (R. H.) *The indictment of Mary Queen of Scots*, 310
- Man, *Isle of, The manorial roll of the* ; ed. by the Rev. T. Talbot, 644
- Manger (J.-B.) *Les relations économiques entre la France et la Hollande pendant la Révolution française*, 470
- Marion (M.) *Dictionnaire des institutions de la France*, 147
- Martin (A. G. P.) *Quatre siècles d'histoire marocaine* : by the Rev. D. S. Margoliouth, 122
- Martin (B. K.) *The triumph of Lord Palmerston*, 639
- Martin (O.) *Histoire de la coutume de la prévôté et vicomté de Paris* : by F. M. Powicke, 595
- Massachusetts historical Society, *Proceedings of the*, lvi, 481
- Mathieson (W. L.) *English church reform 1815-1840*, 474
- Maxwell (Miss C.) *Irish history from contemporary sources, 1509-1610*, 147
- Menjot d'Elbenne (Vicomte) *Madame de la Sablière*, 312
- Merritt (Miss E.) *James Henry Hammond*, 472
- Meyendorff, Peter von : *Politischer und privater Briefwechsel* ; ed. by Otto Hoetzsch : by W. F. Reddaway, 443
- Monod (G.) *La vie et la pensée de Jules Michelet* : by G. P. Gooch, 452
- Moreau (E. de) *Un évêque de Tournai au xiv^e siècle : Philippe d'Arbois*, 146
- Moreland (W. H.) *From Akbar to Aurungzeb* : by P. E. Roberts, 434
- Muilenberg (J.) *The embassy of Dykvelt to England in 1687*, 151
- Müller (K. A. von) *Der ältere Pitt*, 634
- Müller (W. M.) *Egyptian mythology*, 625
- Murray (D.) *Early burgh organization in Scotland*, i : by James Tait, 619
- Nāo (K.) *Les théories diplomatiques de l'Inde ancienne et l'Arthaśāstra* : by A. Berriedale Keith, 111
- Navenne (F. de) *Rome et le Palais Farnèse* : by G. McN. Rushforth, 304
- Nichols (Miss J. P.) *Alaska* : by S. E. Morison, 452
- Nickerson (H.) *The inquisition*, 146
- Northumbrian monuments, 643
- Nuttall-Smith (G. N.) *The chronicles of a Puritan family in Ireland*, 478
- O'GRADY (H.) *Strafford and Ireland* : by R. Dunlop, 126
- Ólafsson, Jón, *the Iclander, The life of* ; ed. by Miss B. S. Phillpotts, i : by E. R. Adair, 608
- Oman (Sir C.) *A history of the Peninsular war*, vi, 472
- Palaeographia Latina*, pts. 1-2 ; ed. by W. M. Lindsay, 320
- Paranis (R. B.) and Kincaid (C. A.) *A history of the Maratha people*, ii : by P. E. Roberts, 285
- Peace conference of Paris, A history of the* ; ed. by H. W. V. Temperley, vi : by B. H. Sumner, 617
- Penson (Miss L. M.) *The colonial agents of the British West Indies*, 633
- Peutingers Briefwechsel* ; ed. by E. König : by P. S. Allen, 277
- Phipson (S. L.) *Jean Paul Marat*, 636
- Plaids de la sergenterie de Mortemer, 1320-1321* ; ed. by R. Genestai, 631

- Pliny the Younger, *A sixth-century fragment of*; ed. by E. A. Lowe and E. K. Rand, 320
- Plumer, William, *memorandum of proceedings in the United States Senate 1803-1807*; ed. by E. S. Brown, 315
- Polonski (V.) *Bakunin, i*: by B. H. Sumner, 615
- Poole (R. L.) *The early correspondence of John of Salisbury*, 458
- Pouillés des Provinces d'Aix, d'Arles et d'Embrun; ed. by Étienne Clouzot, 458
- Procès-verbaux du comité des finances de l'Assemblée constituante; ed. by C. Bloch, 471
- Prunel (C. L.) *La renaissance catholique en France*, 150
- Pugh (Miss Anne R.) *Michelet and his ideas on social reform*: by G. P. Gooch, 452
- Queen's Rangers, *The*, 469
- Ramsay, Sir William Mitchell, *Anatolian studies presented to*: by Arnold Toynbee, 451
- Reade (A. L.) *Johnsonian gleanings*, iv, 467
- Rees (J. A.) *The Worshipful Company of Grocers*, 642
- Registrum secreti sigilli regum Scottorum, ii; ed. by D. H. Fleming: by J. D. Mackie, 124
- Reiche (P.) *Deutsche Bücher über Polen*, 319
- Rhodes (J. F.) *The McKinley and Roosevelt administrations*, 155
- Ritter (M.) *Die Entwicklung der Geschichtswissenschaft in den führenden Werken betrachtet*: by the late Sir A. W. Ward, 420
- Robertson (A.) *The Life of Sir Robert Moray*: by Godfrey Davies, 128
- Robertson (W. S.) *Hispanic-American relations with the United States*: by Harold Temperley, 130
- Rose-Troup (Miss F.) *Lost chapels of Exeter*, 157
- Rubió i Lluch (D. A.) *La companyia catalana sota el comandament de Teobald de Cepoy*, 630
- SABBADINI (R.) *Giovanni da Ravenna*: by A. C. Clark, 600
- St. Bartholomew's church, *The book of the foundation of*, new eds., 156
- St. Werburgh, Chester, *The chartulary or register of the abbey of*; ed. by James Tait: by C. G. Crump, 113
- Salomon (F.) *Englische Geschichte*, 316
- Sapori (A.) *Le compagne dei Bardi e dei Peruzzi in Inghilterra*, 459
- Schäfer (D.) *Mittelalter*, 307
- Schoch (G. von) *Die politischen Beziehungen zwischen Deutschland und England*, 146
- Schulte (A.) *Die Kaiser- und Königs-kronungen zu Aachen*, 628
- Scofield (Miss C. L.) *The life and reign of Edward the fourth*: by C. L. Kingsford, 275
- Scott Thomson (Miss G.) *Lords lieutenants in the sixteenth century*, 309
- Sefton-Jones (Miss Margaret) *Old Devonshire House*, 476
- Selle, *The chartulary of the priory of St. Peter at*; ed. by L. F. Salzman, 308
- Seton (W.) *Nicholas Glassberger and his works*: by C. Johnson, 429
- Skene's *Memorabilia Scotica 1475-1612, and revisals of Regiam Maiestatem*; ed. by G. Neilson, 461
- Sonnenschein (W. S.) *The best books*, pt. iii, 3rd ed., 319
- Southampton *assize of bread book, 1477-1517*; ed. by R. C. Anderson, 461
- Spencer, George, second Earl, *Private papers of*; ed. by Rear-Admiral H. W. Richmond, iii: by J. Holland Rose, 612
- State papers, *America and West Indies, Calendar of, June 1708-1709*; ed. by C. Headlam: by H. E. Egerton, 129
- State papers, *Venetian, Calendar of, 1632-9*, 311
- Statesman's year book, *The, for 1924*, 646
- Storer (M.) *Numismatics of Massachusetts*, 480
- Surrey Record Society, xviii, *Surrey Taxation Returns*, 632
- TILLEY (A.) *Modern France*, 639
- Tout (T. F.) *The beginnings of a modern capital*, 641
- Trevelyan (G. M.) *Manin and the Venetian revolution 1848*: by William Miller, 135
- VAN DER SCHELDEN (B.) *La franc-maçonnerie belge*, 152
- Vinogradoff (Sir P.) *Outlines of historical jurisprudence*, ii: by Ernest Barker, 424
- Vulcanius, *Correspondance de Bonaventura pendant son séjour à Cologne, Genève et Bâle*; ed. by H. de Vries de Heekelingen: by P. S. Allen, 283
- WALDO (F. J.) *A short history of the worshipful company of Plumbers*, 156
- Waliszewski (K.) *Le règne d'Alexandre I^{er}*, i, 636
- Warwick, *Bailiffs' accounts of estates in the county of*; ed. by W. B. Buckley, 309
- Webb (S. and B.) *English local government*, iv: by J. H. Clapham, 288
- Weil (M.-H.) *Le général de Stamford*: by J. Holland Rose, 297
- Welbourne (E.) *The miners' unions of Northumberland and Durham*, 473
- Welch (C.) *History of the Cutlers' Company*, ii, 156

- Wells (J.) *Studies in Herodotus*, 306
 West (W. R.) *Contemporary French opinion on the American civil war*, 639
 Whitley (W. T.) *A history of British Baptists*: by the Rev. E. W. Watson, 304
 Wieser (M.) *Der sentimentale Mensch*, 634
 Willard (Miss M.) *History of the White Australia policy*, 476
 Williamson (J. A.) *English colonies in Guiana*, 310
 Windle (Sir Bertram C. A.) *The Romans in Britain*: by R. E. M. Wheeler, 425
 Woodforde, the Rev. James, *Diary of a country parson*; ed. by J. Beresford, 468
 Woolman, John, *The journal and essays of*; ed. by Miss A. M. Gummere, 312
 Work, John, *The journal of*, 315
 Yorkshire archaeological journal, xxv, 480
 ZERLENTES (P. G.) *Γράμματα τῶν τελευταίων Φράγκων Δουκῶν τοῦ Αἰγαίου Πελάγους*: by William Miller, 606
 — *Μηλιγγοὶ καὶ Ἐξέρται Σλάβοι ἐν Πελοποννήσῳ*: by William Miller, 606
 Zolótas, *Ἱστορία τῆς Χίου*, i, pt. 2, 158

LIST OF WRITERS

- ADAIR, E. R., 608
 Allen, P. S., D.Litt., 277, 283
 Aston, Major-General Sir George, K.C.B., 301
 BARKER, Ernest, LL.D., D.Litt., Principal of King's College, London, 424
 Beer, E. S. de, 86
 Brinkmann, C., 287
 Broome, Miss Dorothy M., 404, 482
 Buckland, C. S. B., 256, 373, 588
 CAM, Miss Helen M., 241, 568
 Chance, J. F., 571
 Clapham, J. H., C.B.E., Litt.D., 238
 Clark, A. C., Litt.D., F.B.A., 600
 Craster, H. H. E., D.Litt., 454
 Crump, C. G., 113, 262
 DAVIES, Godfrey, 123, 439, 609.
 Davis, H. W. C., C.B.E., 131, 217
 Dunlop, R., 126
 EDWARDS, J. G., 1
 Egerton, H. E., 129
 FIRTH, Sir Charles, LL.D., D.C.L., Litt.D., F.B.A., 437
 Fowler, G. Herbert, C.B.E., 240
 Fox, Sir John Charles, 321
 GEYL, P., Lit.D., 282
 Gooch, G. P., D.Litt., 452
 Gray, H. L., 13
 Green, Walford D., 279
 Grose, Clyde Leclare, 349, 526
 HODGKIN, R. H., 498
 Hogarth, D. G., C.M.G., D.Litt., Litt.D., F.B.A., 594
 JENKINSON, C. Hilary, 121
 Johnson, Charles, 119, 272, 429
 KEITH, A. Berriedale, D.C.L., D.Litt., 111
 Kennedy, W. P. M., Litt.D., 252
 Kingsford, C. L., F.B.A., 275
 LODGE, Sir Richard, LL.D., Litt.D., 293
 McKERROW, R. B., 430
 Mackie, J. D., 124
 McKisack, Miss May, 511
 Margoliouth, The Rev. D. S., D.Litt., F.B.A., 122, 261
 Mathew, David, 337
 Mawer, Allen, 456
 Miller, William, LL.D., 135, 139, 386, 449, 450, 552, 606, 618
 Montague, F. C., 280
 Morison, S. E., 451
 Morris, J. E., D.Litt., 299
 Morris, William A., 401
 Mowat, R. B., 614
 NEALE, J. E., 36, 175
 O'BRIEN, George, Litt.D., 95
 PICKFORD, The Hon. M. A., 134
 Powicke, F. M., Litt.D., 264, 595
 REDDAWAY, W. F., 443
 Roberts, P. E., 285, 434
 Rose, J. Holland, Litt.D., 297, 611, 612
 Rushforth, G. McN., 304
 SKEEL, Miss C. A. J., D.Lit., 446
 Stenton, Mrs. F. M., 79
 Stephenson, Carl, 161
 Stevenson, G. H., 110
 Stewart-Brown, R., 83
 Stone, Miss Thora G., 89
 Sumner, B. H., 615, 617
 TAIT, James, Litt.D., F.B.A., 80, 427, 619
 Temperley, Harold, 55, 130, 590
 Thomas, Parakunnel J., 206
 Tout, T. F., Litt.D., F.B.A., 404, 598
 Toynbee, Arnold J., 451
 WALKER, Curtis H., 399
 Ward, The late Sir A. W., LL.D., Litt.D., F.B.A., Master of Peterhouse, 420
 Watson, The Rev. E. W., D.D., 259, 304
 Waugh, W. T., 447, 604
 Webb, C. C. J., LL.D., 622
 Webster, C. K., 136
 Wheeler, R. E. M., 425
 Williams, Basil, 292
 Wood, A. C., 441
 Woodward, E. L., 298

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